



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

CP No. 180/2021
OA No. 2572/2016

This the 23rd day of September, 2021

(Through Video Conferencing)

Hon'ble Ms. Manjula Das, Chairman
Hon'ble Mohd. Jamshed, Member (A)

Sunehari Devi Jatav,
W/o Late Sh. Phool Singh Jatava,
Aged 88 years,
Permanent resident of
SL-22, Shastri Nagar, Ghaziabad-201002
Present Address:
Flat No.19, Ground Floor,
Delhi Govt. Officers Flats,
33-Rajpur Road, Civil Lines,
Delhi-110054

- Petitioner

(By Advocate: Mr. Mukesh Sharma)

Versus

1. Mr. Tarun Prakash,
Divisional Railway Manager,
Northern Railway, DRM Office,
Civil Lines, Near Railway Stadium,
Moradabad-244001
2. Mr. Varish Chandra Shukla,
Senior Divisional Finance Manager,
DRM Office, Northern Railway,
Near Railway Stadium, Moradabad
244001
3. Mr. Angad Singh,
Deputy Director, Railway Pension,
Office of the Director of Accounts (Postal)
UP Circle, Sector C, Sector D, Aliganj,
Lucknow-226024 (UP)

- Respondents

(By Advocate: Mr. VSR Krishna)

**O R D E R (ORAL)****Hon'ble Ms. Manjula Das :**

This Contempt Petition has been filed by the petitioner for initiating contempt proceedings against the alleged contemnors for non-compliance of the Tribunal's order dated 25.07.2019 passed in OA No. 2572/2016.

2. At the outset, Mr. VSR Krishna, learned counsel for the alleged contemnors has drawn our attention to Para 4 of the compliance affidavit, which reads as under:-

“That in compliance of the directions passed, the matter was looked into in respect of the pension and other benefits payable to the petitioner and to her late husband. After due calculations in respect of the pay drawn and pension and family pension entitlement under various Central Pay Commissions, the respondent passed detailed letter dated 16.08.2021.”

3. Learned counsel for the respondents has thus submitted that the order of this Tribunal has been complied with vide letter dated 16.08.2021.

4. On the other hand, Mr. Mukesh Kumar, learned counsel for the petitioner, submitted that though there was a direction for grant of arrears w.e.f. 1986, the respondents did not grant any arrear pursuant to the Tribunal's order dated 25.07.2019.

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5. We heard Mr. Mukesh Kumar, learned counsel for the petitioner and Mr. VSR Krishna, learned counsel for the respondents, through video conferencing.

6. From perusal of the letter dated 16.08.2021 (Annexure R-1), it is clear that that no arrears are due to the petitioner since the same were paid to her at the appropriate time. Therefore, in our view, no interest is due to the petitioner.

7. As regards the contention of the petitioner that the Tribunal has directed the respondents to pay the arrears w.e.f. 1986, it would be appropriate to reproduce the operative portion of the order of the Tribunal dated 25.07.2019 which reads as under:

“2. During the course of arguments, learned counsel for the applicant acknowledges that a part of the prayer, namely 8(a) has already been settled by the order of the respondents has already been settled by the order of the respondents through issuance of revised PPO dated 13.02.2019 placed at Annexure R/1 (page 5 of the counter reply). But he informs that the arrears on the basis of the revised Basic Pension have not been released and he has not been granted the revised family pension till date. The respondents do not contest the claim of the applicant and submitted that they have only issued the revised PPO vide order dated 13.02.2019 and will duly make payment. Hence, the respondents are directed to calculate all the arrears, which should accrue to the applicant of this OA under the heads revised Basic Pension and revised family pension and grant the same, with the interest at the rate applicable to the GPF deposits from the date when it became due, within a period of 60 days of receipt of a copy of this order.”



8. From the above order of the Tribunal, it is clear that no such direction to pay the arrears w.e.f. 1986 was given to the respondents. At the insistence of the applicant, though we have gone through the order dated 24.03.2021 passed in RA No.81/2020, we do not find any such prayer mentioned in the RA or anywhere in the pleadings .

9. In view of the above, we find that the respondents have complied with the directions of the Tribunal dated 25.07.2019 issued in OA No. 2572/2016. Accordingly, the CP is closed with liberty to the petitioner to approach this Tribunal by filing a fresh OA, if her grievance still subsists.

(Mohd. Jamshed)
Member (A)

(Manjula Das)
Chairman

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