IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Dated,Allahabad,this 1st February,2001

CORAM : Hon'ble Mr.S.Dayal, Member (A)
            Hon'ble Mr.Rafiq Uddin, Member (J)

CCP.13/99   in   Original Application No.812 of 1995

K.V.Prasad S/O Late Babban Prasad
Retired U.D.C., C.P.W.D.,
Resident of B-13, Ashok Nagar Extension,
Allahabad

.... Applicant

Counsel for the applicant : Shri V.B.L.Srivastava

V E R S U S

Shri S.K.Jain,
The Pay and Accounts Officer,
C.P.W.D.(NZ) East Block No.4,
R.K.Puram, New Delhi-22

.... Respondent

Counsel for the Respondent : Shri S.Chaturvedi

O R D E R   (Open Court)

(Order by Hon'ble Mr.S.Dayal, AM)

The applicant has filed this Contempt Petition
for a direction to the Respondent to make payment of
verified claim to the applicant with penal interest
forthwith and to punish the respondent for contempt
of this Tribunal.

Shri Prem Sagar Verma proxy counsel for
Shri V.B.L.Srivastava, Learned Counsel for the applicant
is present for the applicant and Shri Pankaj Srivastava
proxy counsel for Shri S.Chaturvedi is present for the
respondent.

We find from the order in the O.A. No.812/95
dated 10.12.1997 that the Respondents were directed
to reconcile the position with regard to payment
claimed by the applicant and payment actually made by
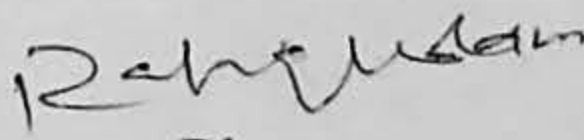the Respondent by associating the applicant along with

the concerned departmental representatives within a
period of three months taking into account the claims
made by the applicant in paras 6.6. and 6.7 of the
application. In case any payment became due to the
applicant the same was to be arranged to the applicant
within a period of one month after completion of recon-
ciliation. In case, no payment was due the detail
reply was to be given to the applicant within the
period of three months from the date of receipt of
the order. The Tribunal also allowed interest of 12%
for any delay in payment from the date of retirement
and for the late accountal of the missing credits in
the respective years as per extant rules.

The Respondents have filed their Counter Reply.
The Respondents have examined in detail the claims
of the applicant and/that all amount mentioned therein
had already been taken into account and paid to him.
The applicant was informed all these facts by letter
dated 6.4.1998. The applicant was given opportunity
to visit the office of the Respondent vide letter
dated 30.4.1998 and 10.9.1998. But the applicant did
not turn up. Letter dated 8.12.1998 was received from
the Superintending Engineer in which he had mentioned
details of payment due. The said letter was examined
in detail with reference to the records and it was
found that all the due payment mentioned therein had
already been paid to the applicant and nothing further
was due. The Superintending Engineer was requested to
depute the Divisional Accountant for reconciliation of
figures by the Division Office. The Divisional Accountant
visited the office of the Respondent on 18.2.1999 and
examined the documents/records as well as discussed
the case in detail with the Respondent and got himself

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satisfied.   The Divisional Accountant wrote a letter
on 30.3.1999 mentioning that after consulting the
records he could not identify any outstanding amount
in respect of the applicant.   It has also been mentioned
in the Counter Reply that payment of Rs.861.00 had been
made to the applicant in response to the detail claim
made by him after full reconciliation balance by the
Respondents.   The applicant has filed his Rejoinder
in which he still maintains that he was to be paid
Rs.19,325.00 but only Rs.861.00 was paid to him.   He
also contends the fact that Rs.1175.00 have been included
in the amount of Rs.3201.00 paid in the month of May,1984.

We find that the applicant was given an opportunity
to scrutinise the records which he did not avail of.
Respondents have claimed that full payment has been
made to the applicant and have nothing due to pay.
In the circumstances we find no case for contempt
survives against the Respondents.   The Contempt
Petition is dismissed.   Notices issued are discharged.

No order as to cost.

JM   AM

kkc