

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

THURSDAY, THIS THE 21<sup>ST</sup> DAY OF NOVEMBER, 2002

CONTEMPT APPLICATION NO. 210 of 2002

IN

ORIGINAL APPLICATION NO. 721 of 1994

HON. MR. M.P.SINGH , MEMBER-A

HON. MRS. MEERA CHHIBBER, MEMBER-J

J.P.Srivastava

aged about 83 years.

s/o Late Shri Mahesh Nandan

r/o C-41, Kareli,

Allahabad. ....Applicant

(By Advocate:-Shri R.K.Nigam)

Versus

1. Shri R.K.Singh, General Manager

N. RLY BAroda house,

New Delhi.

2. Shri N.S. Rana

Chairman, Railway Board,

New Delhi. ...Respondents.

(By Advocate:- Shri P. Mathur)

O R D E R

HON. MR. M.P.SINGH, MEMBER-A

The Tribunal by its order dated 21-5-2002 in

O.A No. 721/94 gave the following directions:

"In the view of the circumstances mentioned above and in view of the fact that the Railway Board permitted the applicant to retain the pay of Rs. 1600 actually drawn by him, his pension should have been fixed on the basis of that pay. The O.A is therefore, allowed. The impugned order is quashed. The respondents are directed to fix his pension on the basis of actual salary drawn by the applicant on the last 10 months

i.e. Rs. 1600/- per month. This order may not be followed as a precedent because of the special circumstances under which the said higher pay was allowed to be retained by the applicant and also keeping in view the fact that the applicant is now 85 years old and cannot be further harassed by further litigation. The arrears in accordance with the above order may be paid to the applicant within a period of 4 months from the date of copy of this order is filed. No order as to costs

2. In pursuance of the direction of this Tribunal the respondents have now re-fixed the pension of the applicant vide orders dated 14-11-2002 (CA-I, CA-II alongwith its encloser) and have given a direction to Manager, Punjab National Bank to make the payment of the arrears of pension. The direction given by this Tribunal have been implemented by the respondents by refixing the pension of the applicant and also by directing the Bank to pay the arrears of the pension. Thus the direction given by the Tribunal have substantially been complied with by the respondents. CCP No. 210/02 is, therefore, dismissed and the notices are discharged. However, the applicant is at liberty to approach this Tribunal, in case he still feels aggrieved.

  
Member-J

  
Member-A

Madhu/