

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD.**

WEDNESDAY, THIS THE 1ST DAY OF NOVEMBER, 2006

QUORUM : HON. MR. K. ELANGO, J.M.

HON. MR. P.K. CHATTERJI, A.M.

CCP NO.72 OF 2006

IN

ORIGINAL APPLICATION NO.1068 OF 2001

Birbal Taneja, Son of Shri Deen Dayal Taneja, Ex-Loco
Foreman No.49, Rail Bazar, Kanpur.

..... Applicant.

Counsel for applicant : Shri Sudama Ram.

Versus

1. Sri Budh Prakash, General Manager, North Central
Railway, Allahabad.
2. Sri S.K. Chaudhary, Divisional Railway Manager,
North Central Railway, Allahabad.

..... Respondents.

Counsel for Respondents : Sri P. Mathur.

ORDER

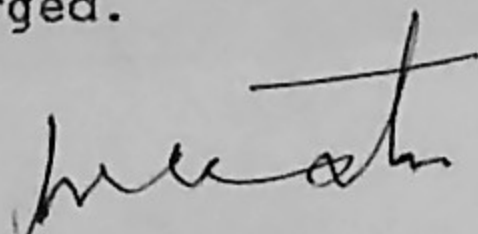
HON. MR. P.K. CHATTERJI, A.M.

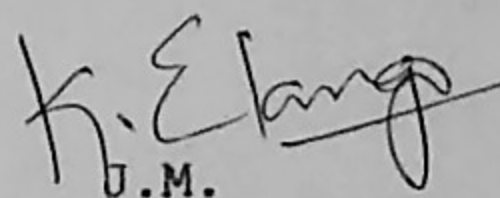
This contempt petition was filed in connection with O.A. No.1068/01, which was decided by this Tribunal through its order dated 4.3.2005 as following :-

"Under the above facts and circumstances, the OA is allowed. The respondent Railways are directed to take into account the service of 9 years, 9 months and 5 days, rendered by the applicant in the Defence Department, as given in the discharge certificate dated 31-01-1959 (Annexure A-2) as confirmed vide letter dated 29-08-1998 (Annexure A-7) for working out the total period of government service for purposes of pension and accordingly, work out the pension and other benefits payable to the applicant. The arrears

of pension and other benefits should be paid within a period of six months from the date of receipt of a certified copy of the order."

2. After the notice was issued on the contempt petition, Counter Affidavit was filed by the Respondents. In para 6 of the Counter Affidavit, it has been affirmed that as per direction of the Tribunal, the service of 9 years 8 months and 12 days, as rendered by the applicant under the Ministry of Defence was also taken into account as per Rule 27 and 28 of the Pension Rules and consequently the benefits of pension as well as ~~retiral~~ gratuity was paid through S.B.I. vide revised P.P.O. No.1389020036 dated 25.8.2005. We are of the view that as far as the decision of this Tribunal, it has been complied with in full and, therefore, contempt petition is dismissed and the notices issued to the Respondents are discharged.


A.M.


J.M.

Asthana/