

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

CALCUTTA

No.M.A. 166 of 98
(O.A. 999 of 96)

Present : Hon'ble Mr. D. Purkayastha, Judicial Member

Hon'ble Mr. B.P. Singh, Administrative Member

UNION OF INDIA AND ORS.

VS

BRIJ MURARI AGARWAL

For the applicant : Ms. U. Bhattacharjee, counsel
(respondents in O.A.)

For the opposite party : In person

Heard on : 14.01.99

Order on : 14.01.99

O R D E R

Heard Ms. Bhattacharjee appearing on behalf of the Director, Central Glass and Ceramic Research Institute, Cal-32 (respondent No.5 in O.A.) over an application for extension of time for implementation of judgment and order dated 21.1.98 passed by this Tribunal in O.A.No.999 of 96. Ms. Bhattacharjee has drawn our attention to two letters dated 5.3.98 and 13.3.98 (annexure R-II to the application) and submits that Customs Authority is not acting on the request made by respondent No. 5(in O.A.). Thereby they are fully handicapped to implement the judgment. So, a notice be issued upon the Customs Authority asking them to show cause as to why a contempt proceeding should not be issued against them for non-compliance of the directions passed by this Tribunal. It is seen that respondents (in O.A.) are directed to comply with the directions containing

the date of communication of the order. It is found that the order of the Tribunal is yet to be complied with. So, it be mentioned here that the applicant would be entitled to get interest at the rate of Rs.12% per annum on the arrears which would be admissible to him as per judgment dated 21.1.98 from the date of retirement till the payment is made. On

prayer of ld. counsel Ms. Bhattacharjee, a notice be issued to the respondents ^{NO 3 The Commissioner of Customs, Customs House Calcutta ✓} asking them to show cause within 15 days

from the date of receipt of the notice as to why a contempt

proceeding should not be drawn up against them for willful

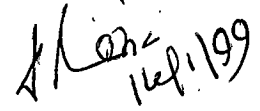
non-compliance of the order of this Tribunal. This notice

be issued to the Customs Authority ^{✓ (Respondent 3) ✓} by Registrar of this office

alongwith this order. Accordingly the Miscellaneous application is disposed of.

2. No order is passed as to costs.


(B.P. SINGH)
MEMBER (A)


(D. PURKAYASTHA)
MEMBER (J)

SM