

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

M.A. 398 of 2000
(O.A. No. 682 of 1996)

Date of order: 03.08.2000

Present : Hon'ble Mr. D. Purkayastha, Judicial Member
Hon'ble Mr. G.S. Maingi, Administrative Member

AJIT KUMAR SAHA

VS

UNION OF INDIA & ORS.

For the Applicant : Mr. U. Roy, counsel

For the Respondents :None

O R D E R

It is alleged by the applicant in this application that the respondents did not comply with the judgment and order dated 8.5.1998 passed in OA 682/96 where certain direction was given on the respondents to make payment of the interest at the Rate of 12% per annum on the amount of DCRG money, commuted value of pension etc. which were due to him on the date of retirement i.e., 1.2.1991 till the payment is made within four months from the date of communication of this order. Otherwise it would carry interest at the rate of 18% per annum. It is alleged by the applicant that the respondents did not make payment of the said amount within four months from the date of communication of the order. Therefore, he is entitled to get 18% interest on that amount, but the respondents paid him only 12% interest on that amount. We find that that cannot be the subject matter of review. It is the *prima facie* allegation of the non-compliance of the order of this Tribunal dated 8.5.1998 passed in OA 682/96. So, here the remedy lies in filing a contempt petition instead of filing an MA. Therefore, the MA is dismissed and liberty is given to the applicant to make an application for drawing up contempt proceeding against the official respondents, if he thinks it fit and proper. With this observation the application is disposed of.

Surjani
MEMBER (A)

K. S.
MEMBER (J)