

Central Administrative Tribunal, Lucknow Bench, Lucknow

CONTEMPT PETITION NO.66/2004

IN

ORIGINAL APPLICATION NO.634/2001

This the 07th day of September, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)
Hon'ble Dr. A.K. Mishra, Member-A

Shiv Deen Kuril aged about 66 years son of Shri Mange Das
R/o Mohalla Triveni Nagar, Sitapur Road, Lucknow.

.....Applicant

By Advocate: Sri R.S. Gupta.

Versus

1. Ms. Radhika Dorai Swamy, Sectary Department of Post Dak Bhawan, New Delhi.
2. Smt. Neelam Srivastava, Chief Postmaster General, U.P. Lucknow.
3. Sri Pradyumn Singh, Senior Accounts Officer O/o DA (P) U.P. Circle, Lucknow.

.....Respondents

By Advocate: Sri V.R. Chaube for Shri K.K. Shukla.

ORDER (Oral)

By Ms. Sadhna Srivastava, Member-J

This CCP has been filed alleging non-compliance of the order dt.04.07.2003 passed by this Tribunal in O.A.No.634/201.

2. This Tribunal quashed the order dt.01.12.1996 and granted the following reliefs to the applicant.

"i). The applicant is entitled for interest on account of delayed portion of DCRG w.e.f. 7.8.97 being the beyond six months form the date of submission of reply by the applicant to the inquiry officer on 6.2.97 till date of actual payment at the rate applicable to G.P.F. Fund deposits.

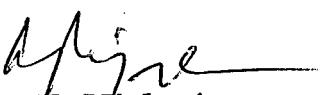
ii). The respondents are also directed to pay interest on the delayed payment of leave encashment from the due date till the date of actual payment at the rate applicable to G.P. Fund Deposits.

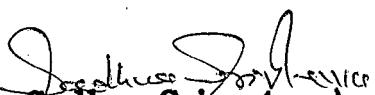


iii). The applicant is also entitled for payment of interest on account of delayed payment of C.G.E.G.I.S. from due date till the date of actual payment at the rate applicable to G.P.F. Fund deposits."

3. The show cause reply and compliance report have been filed by the respondents. It is stated in the compliance report that in pursuance of the aforesaid order of the Tribunal, interest on delayed payment of DCRG w.e.f. 07.08.1997 to 18.04.2000 at the rate as applicable to GPF deposits i.e. 12 % per annum has been paid to the applicant. Interest of Rs.3025/- for the period w.e.f. 17.02.2000 to 18.04.2000 was paid to the applicant vide letter dt. 15.06.2001. The remaining amount of Rs.46,159/- has been paid through cheque dt.10.12.2008 for the period w.e.f. 07.08.1997 to 16.02.2000. Interest on delayed payment of leave encashment w.e.f. 01.08.1996 to 16.05.1997 (till the date of payment) at the rate as applicable on GPF deposits i.e. 12 % per annum which comes to Rs.5847/- has been paid to the applicant through Cheque dt.11.12.2008. Rs.1131/- has also been paid as interest on delayed payment of CGEGIS on 15.07.2002.

4. The applicant claims that he is entitled for compound interest as per the direction of OA. We have gone through the direction given by this Tribunal in the O.A. The Tribunal has directed interest on delayed payment which means simple interest not the compound interest but the rate of interest will be applicable as on GPF. However, incase, the applicant is still aggrieved by the calculation of interest he may approach to authority concerned. No case for contempt is made out. Accordingly, the CCP is dismissed. Notices issued stands discharged.


(Dr. A.K. Mishra)
Member-A


(Ms. Sadhna Srivastava)
Member-J