

Central Administrative Tribunal Lucknow Bench, Lucknow

**Contempt Petition No. 53 of 2010
In
Original Application No.114/2008**

This, the 24th day of April, 2012

**Hon'ble Justice Alok Kumar Singh, Member (J)
Hon'ble Sri S. P. Singh, Member (A)**

Basant Lal Tiwari, aged about 65 years S/o Shri R. G. Tiwari R/o C-3275, Rajajipuram, Lucknow.

Applicant

By Advocate Sri B. N. Shukla.

VERSUS

1. Sri S. K. Budhlakoti, General Manager, Northern Railway, Head Quarter Office, Baroda House, New Delhi.
2. Sri Jogesh Singh Sodhi, Divisional Railway Manager, Northern Railway Manager, Northern Railway, Lucknow Division, Hazratganj, Lucknow.
3. Smt. Renu Sharma, Sri Divisional Personnel Officer, Northern Railway, Lucknow Division, Hazratganj Lucknow.

Respondents

By Advocate: Sri S. Verma.

ORDER (Dictated in Open Court)

By Hon'ble Justice Sri Alok Kumar Singh, Member (J):

Heard counsel for the parties.

2. O.A. 114/2008 was finally disposed of on 04.09.2009 directing the respondents to consider his services as substitute Porter after making allowances for four months as provided under Rule 32 of Railway Services (Pension) Rules, 1993 towards pensionary benefits and to grant him full pension as admissible to him and thus enabling him to achieve qualifying service of more than 33 years making him eligible for full pensionary benefits. This exercise was to be completed within a period of three months from the date of passing of the order.
3. Concededly, this compliance has already been made on 25.2.11.
4. On 14.9.2011, two submissions were made on behalf of the applicant. The first submission was in respect of claim of interest on arrears etc. After pursuing the order passed in the O.A. and in the absence of any direction in this regard, this submission was found devoid of any substance. The next submission was to the effect that compliance was to be made within three months, but it has been complied after about 13 months.
5. Today, learned counsel for the applicant submits that for this delay, petitioner should get interest at the existing market rate. For this, he can file fresh O.A. if permitted under law and if so advised. But this point cannot be a subject matter of this contempt petition.
6. In view of the above, this contempt petition is struck off in full and final satisfaction. Notices stand discharged.

S. P. Singh
(S. P. Singh)
Member (A)

24.4.12

Alok Kumar Singh
(Justice Alok Kumar Singh)
Member (J)
24.4.12