

Central Adminnistrative Tribunal, Lucknow Bench, Lucknow.

CCP No. 25/2008 in O.A. No. O.A. No.100/2007

This the 23rd day of July, 2008

Hon'ble Shri A.K.Gaur, Member (J)
Hon'ble Dr. A.K.Mishra, Member (A)

J.D. Vishwakarma aged about 69 years son of late Ram Jeevan Vishwakarma r/o 555/99/13/1, New Ashutosh Nagar, Post Office, Manak Nagar, Lucknow.

Applicant

By Advocate: Sri R.P. Ojha

Versus

Smt. Ashma Singh , Divisional Railway Manager, NER, Ashok Marg, Lucknow

Respondents

By Advocate: Sri Azmal Khan

ORDER (ORAL)

By Hon'ble Sri A.K. Gaur, Member (J)

Applicant has filed O.A. No. 468/2000 for releasing of DCRG and leave encashment along with interest, which was allowed on 11.10.2002. Subsequently respondents have released DCRG and leave encashment amounting to Rs. 2,53,329/- on 30.4.2001, but not paid any interest.

2. There is no dispute that the respondents have not paid any interest on such delayed payment of DCRG and leave encashment. Since there was no response from the respondent authorities, applicant filed O.A. No. 100 of 2007 for payment of interest on Rs. 2,53,329/- from 1.11.97 to 30.4.2001.

3. Learned counsel for the respondents produced a letter dated 16.7.2008 issued on behalf of the Chief Personnel Officer, that a sum of Rs. 34, 592/- has already been paid to the applicant. Mr Azmal Khan, Learned Counsel for the respondents further submitted that interest has been paid in accordance with direction given by this Tribunal as per rules.

4. Mr. Ojha, learned counsel for applicant raised objection and submitted that payment of interest made to the applicant is wholly inadequate.

5. Heard parties counsel. We are satisfied that sitting in contempt jurisdiction, we may not enter into the legality, propriety and correctness of the order. In our considered view there is no willful disobedience of the orders passed by this Hon'ble Tribunal. The contempt petition is accordingly dismissed and notices are

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discharged. The applicant, if so advised may take recourse to the legal remedy available to him.

Y
Member (A)

Am Gaur
Member (J)

HLS/-