

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

PATNA BENCH, PATNA

REGISTRATION NO. CCPA 4/99

(Arising out of OA No. 208/96 disposed of on 29.6.98)

DATED: 12 AUGUST 1999

Shri Ramjit Prasad, son of late Chandrika Prasad, resident of village Paharpur, Anisabad P.S., Phulwari Sharif, Distt. Patna.

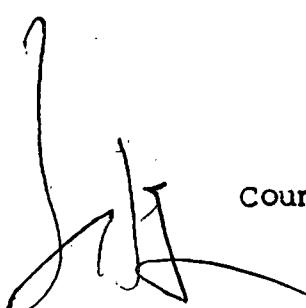
..... Applicant.

Counsel for the applicant: Sh. R.K.Sinha.

Vrs.

1. The Union of India, through Shri A.K.Singh, Accountant General, Bihar, Patna.
2. The State of Bihar, through Shri V.S.Dubey, Chief Secretary, Govt. of Bihar, Main Secretariate, Patna.
3. Shri Devashish Gupta, Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Main Secretariate, Patna.

..... Respondents.

 Counsel for the State respondents: Shri B.N.Yadav.

C O R A M

HON'BLE MR. LAKSHMAN JHA, MEMBER(J)

HON'BLE MR. L.HMINGLIANA, MEMBER(A)

O R D E R

SH. L.HMINGLIANA, MEMBER(A): This CCPA filed by a retired IAS officer of Bihar cadre, is for instituting contempt proceedings against and punishing the respondents for non compliance with the order of Tribunal dated 29.6.98 in OA 208/96 .

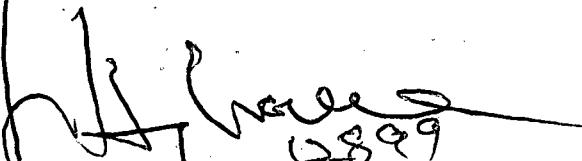
The OA was filed by the applicant claiming release of 10% of his pension which was withheld after his retirement from service on 31.1.95 . The amount was withheld by the Govt. of Bihar because of some charges leveled against the applicant when he was working as Collector and DM, Vaishali. The charges were enquired into by the Divisional Commissioner, Muzaffarpur. In the order of the Tribunal dated 29.6.98 the respondents were directed to take final decision on the report and recommendation submitted by the Divisional Commissioner, Muzaffarpur within a period of one month from the date of the order. It is the grievances of the applicant in his CCPA that the direction given by the Tribunal was not complied with.

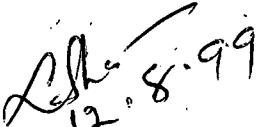
In the replies to the show cause notices, Shri S.N.Biswas, Chief Secretary to the Govt. of Bihar and Shri Devashish Gupta, Commissioner and Secretary, Department of Personnel and AR have both stated that the case against the applicant has been closed and the 10% of pension, which has been withheld was paid to him on 18.3.99 .

Now that the direction given by the Tribunal on 29.6.98 in OA 208/96 has been complied with, though belatedly, there is no case for instituting contempt proceedings against the respondents. However, in our opinion, the time taken by the respondents in complying with the order of the Tribunal was quite long, and it could have been made shorter, had they attended to the matter immediately.

With the above observation the CCPA 4/99 is disposed of as there is no sufficient cause ^{for} initiating contempt proceedings against the respondents. There shall be no order as to costs.

AKJ


(L. HMINGLIANA)
MEMBER(A)


(L. JHA)
MEMBER(J)