

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA.

C.C.P.A.No. 167 of 2000

(Arising out of O.A. 363 of 1996)

Date of order: August 10, 2004

Krishna Chandra Prasad

..... Applicant

Vs.

Union of India and others

..... Respondents.

For the applicant : Shri S.N. Tiwary

For the respondents: Shri H.P.Singh

C O R A M

Hon'ble Smt. Meera Chibber, Member (J)

Hon'ble Shri Mantreshwar Jha, Member (A)

O R D E R

(Dictated in Court)

By Meera Chibber, M(J):- This contempt petition was filed by the applicant alleging disobedience of the order dated 4.5.1999 passed by this court in OA 363 of 96. By the said order, this Court had ~~passed direction with~~ regard to delayed payment of C.G.E.G.I.S. to the effect that the applicant may make representation in this regard to the concerned authority within a month, if so advised. The same should be disposed of in accordance with law by the concerned respondents within a period of two months from the date of receipt of the said representation by passing reasoned order.

2. They were further directed to pay interest on the delayed payment of DCRG amount from the date they became due till the payment was made in terms of Govt. of India's letter dated 25.8.1994.

3. The respondents have now filed their reply wherein they have stated that an amount of interest on DCRG amounting to Rs. 6003/- has already been credited





in the S.B. (Pension) A/C No. 40420706 of the applicant on 9.5.2001. So far as payment of interest on CGEGIS is concerned, the representation of the applicant was received, and the same was considered and examined in accordance with direction of the Hon'ble Tribunal.

However, it was found that the applicant was not entitled to get any interest as the same was not admissible. They have already tendered unqualified apology and prayed that the present contempt petition may be dismissed.

4. The learned counsel for the applicant has submitted that no order has been communicated to the applicant on his representation relating to payment of interest on CGEGIS so far. We agree with the counsel for applicant that once the Tribunal had directed the respondents to pass speaking order on his representation with regard to payment of interest on delayed payment of CGEGIS, they ought to have communicated the speaking order to the applicant. Although the respondents have stated that the question of grant of interest on CGEGIS was not admissible but they have not annexed any such order with the reply to show that representation has been decided by passing a reasoned order.


5. Therefore, the respondents are now directed to communicate the reasoned order to the applicant within two weeks from the date of receipt of copy of this order. It goes without saying that in case the applicant has any grievance against the said order, it shall be open to him to challenge the same by filing OA. Since the respondents have already complied with direction of this Court substantially, this contempt petition is

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dismissed and notices issued to the respondents are discharged. However, liberty is given to the applicant to file a fresh DA if he is still aggrieved by the said order which is directed to be communicated to him.

/CBS/


(MANTRESHWAR JHA) M(A)
(MEERA CHIBBER) M(J)