

(TH)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
BOMBAY BENCH, BOMBAY.

Contempt Petition No. 55/95,
in
Original Application No.1229/92.

R.V.Joshi. ... Applicant.

V/s.

Union of India & Ors. ... Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande,
Vice-Chairman.
Hon'ble Shri P.P.Srivastava, Member(A).

Appearances:-

Applicant by Shri B.L.Nag.
Respondents by Shri S.S.Karkera.

Tribunal's Order :

(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 7.8.1995.

The only question which arises for consideration in this Contempt Petition is whether the applicant should be paid interest because of the delayed payment while complying with the Tribunal's Order. By the Tribunal's Order dt. 17.1.1994 the payment was to be made within three months from the date of the receipt of the copy of the order. The copy of the order was served on the Respondents on 8.2.1994 and pursuant to the order the payment should have been made by 8.5.1994 but the payments of an amount of Rs.45,699/- which is admittedly the amount payable only on 1.5.1995. Shri B.L.Nag states that because of the delay of nearly a year the applicant was deprived of his stepped up pay, while Shri Karkera for the Respondents states that the Respondents had to take up the matter with the Director General, Department of Telecom, New Delhi and there were numerous cases of stepping up which had to be resolved by reference to different divisions. In his submission considering the exercise that had to be performed the delay is not such as would justify

payment of interest.

2. We are not impressed by the argument on behalf of the Respondents. Once the time was stipulated for complying with the order, the order should have been strictly carried out. We therefore, award interest at 10% p.a. for the delayed payment of Rs.45,699/- from 8.5.1994 to 1.5.1995. This amount of interest shall be paid within one month from the date of communication of this order. With this direction, the C.P. is disposed of.


(P.P. SRIVASTAVA)
MEMBER(A)


(M.S. DESHPANDE)
VICE-CHAIRMAN

B.