

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P. 61/97 in
Original Application No. 281/95

Tribunal's order

Dated: 19.6.98

Shri A.I. Bhatkar, counsel for the applicant.

Shri V.S. Masurkar, counsel for the respondents.

2. In this O.A. the Tribunal had directed the respondents to count the service of the applicant rendered in Gorakhpur Kshetriya Gramin Bank, Gorakhpur for the purpose of pensionary benefits, etc., if otherwise it is held to be within the frame work of rules. Since the respondents have not complied with the judgement, the applicant has filed this C.P.

3. Now it is brought to our notice that the Government has since issued a letter dated 1.6.98 under which the President has given sanction for counting of former service rendered for the purpose of pensionary benefits etc.

In our view the respondents have been complied with the order of the Tribunal though there is some delay.

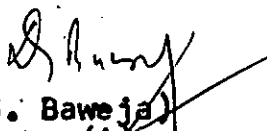
However the learned counsel for the applicant now submits that by the letter dated 5.6.98, the respondents have demanded the applicant to refund the terminal benefits received by him at the time of leaving the Bank alongwith interest at the rate of G.P.F. accumulation as per Government order. The learned counsel for the applicant contended that though the applicant is liable to refund the terminal benefits he is not liable to pay any interest on the said amount.

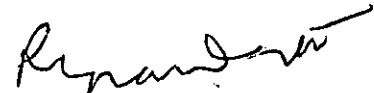
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4. In our view, the question regarding whether the applicant is liable to pay interest or not ~~are not~~ ^{is} the matter to be considered ^{on} by this C.P. The scope of C.P. is very limited. When the order of the Tribunal have been complied with by the respondents, the C.P. should be closed. If the applicant has any grievance, he has to agitate the same in some other forum.

5. For the above reasons the C.P. is disposed of without prejudice to the applicant to take appropriate legal steps, according to law.


(D.S. Baweja)
Member (A)


(R.G. Vaidyanatha)
Vice Chairman

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19/6/98
order/Judgement despatched
to Applicant/Respondent (s)
on 29/6/98

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