

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

\* \* \*

Date of Decision: 28.2.96.

CP 139/95 (OA 824/92)

Birdhi Lal ... Petitioner

Versus

Shri Gautam Gupta and others ... Respondents

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. O.P. SHAFMA, MEMBER (A)

For the Petitioner ... Mr. Dharmendra Agarwal

For the Respondents ... Mr. M. Rafiq

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Petitioner, Birdhi Lal, in this petition under Section 17 of the Administrative Tribunals Act, 1985, has alleged that the respondents have committed contempt of court by not making payments in terms of the judgement of the Tribunal given in OA 824/92, decided on 24.11.93, which may be extracted as follows :-

"In the result, OA is partly accepted and it is directed that the amount paid earlier to the applicant on account of voluntary retirement should be adjusted in the amount which is to be paid after his retirement on 31st May, 93. Respondents will have the right to charge interest @ 12% on the amount retained by the applicant and referred to in Annexure A/16. The interest shall be payable from the date of reinstatement. The remaining amount after the adjustment should be paid to the applicant within a period of 2 months after the receipt a copy of this order."

2. It has been categorically stated by the respondents that all pensionary benefits due to the petitioner after retirement on superannuation on 31.5.93 have been paid to him after recovering the retirement benefits extended to him at the time of voluntary retirement on 15.10.86. The period from the date of voluntary retirement from 16.10.86 to the date of reinstatement i.e. 8.7.87 has been regularised by way of grant of leave due and admissible. There was no specific direction in the order of the Tribunal for payment of salary for this period. The retiral benefits have already been extended to the petitioner and his pension has been sanctioned. There has been complete compliance with the order of the Central Tribunal.

3. This Contempt Petition is, therefore, dismissed. Notices issued are discharged.

(O.P. SHAFMA)

MEMBER (A)

Gopalkrishna  
(GOPAL KRISHNA)

VICE CHAIRMAN

VK