

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 09.10.95.

CP 33/95 (OA 295/88)

Pooran Prakash

... PETITIONER.

VERSUS

Shri R.C. Tripathi and others

... RESPONDENTS.

CORAM:

HON'BLE MR. GOPALkishna, VICE CHAIRMAN.

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

For the Petitioner

... Mr. M.L. Pareek

For the Respondents

... Mr. K.C. Meena, CLA,

departmental representative

ORDER

PER HON'BLE MR. GOPAL KISHNA, VICE CHAIRMAN


Petitioner, Pooran Prakash, has filed this Contempt Petition u/s 17 of the Administrative Tribunals Act, 1985, stating therein that the respondents, by wilfully and intentionally dis-obeying the order of this Tribunal dated 24.3.94 in OA 295/88, have committed contempt of court.

2. We have heard the learned counsel for the petitioner and Mr. K.C. Meena, CLA, departmental representative on behalf of the respondents.

3. The petitioner has claimed a sum of Rs.24,541/- by way of difference of pensionary benefits with effect from various dates stated therein. The calculation sheet is marked as Annexure A-8. Annexure A-8 has been taken on record today. There was a direction by this Tribunal to the respondents to consider the petitioner's case for grant of benefits of promotion under upgradation as per rules. The respondents have categorically stated that the petitioner's statement, vide Annexure A-8, was duly examined but the same was found to be incorrect. The petitioner had claimed a monthly pension of Rs.1150/- w.e.f. 1.1.86 to 30.6.95. However, it has been fixed by the respondents at Rs.1101/- per month with effect from the aforesaid date plus dearness relief thereon. Due to the benefits of promotion having been granted to the petitioner his pension has been revised and the Bank has been advised accordingly vide Annexure P-1. If the petitioner feels that his pension has been incorrectly fixed, he may file a fresh OA subject to its maintainability. Since the benefits to be received by the petitioner were not quantified by this Tribunal, we feel that the direction of the Tribunal

has been implemented and in the circumstances the decision taken by respondents cannot be held to be contumacious as it does not reflect any intention to wilfully and deliberately dis-obey the Tribunal's direction.

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


(O.P. SHARMA)

MEMBER (A)


(GOPAL KRISHNA)

VICE CHAIRMAN

VK