

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR

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CP No. 96/95 (OA No. 27/88)

Date of order: 5-8-1997

Shri Bal Kishan Mittal, retired S.M., resident of behind Railway Station, Saradhans, Distt. Ajmer.

.. Petitioner

versus

1. Shri M.Ravindra, General Manager, Western Railway, Churchgate, Bombay.
2. Shri R.K.Jain, Chief Operating Manager, Western Railway, Churchgate, Bombay.
3. Shri N.P.Singh, Divisional Rail Manager, Western Railway, Ajmer Division, Ajmer.

.. Respondents

Mr. D.P.Gurg, counsel for the petitioner

Mr. S.S.Hasan, counsel for the respondents

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman

Hon'ble Mr. O.P.Sharma, Administrative Member

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Per Hon'ble Mr. O.P.Sharma, Administrative Member

In this Contempt Petition Shri Bal Kishan Mittal has prayed that the respondents may be punished for contempt of court for not complying with the directions of the Tribunal given in the order dated 17-5-1994 passed in OA No. 27/88. The operative part of the order of the Tribunal as extracted ^{from} para 4 thereof is as below:

" The word ordinarily has been used. However nothing has been shown that in 1985-87, two promotions were given and no adverse remarks were available with him or any punishment was awarded. Thus the applicant should not have been ordinarily retired. However, taking into consideration the service record we will not like to pass an order for the payment of back wages. We set aside the order of compulsory retirement and only direct that the applicant

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should be treated in employment upto the date of his superannuation and he should be given the benefit of pension for that purpose and all retirement dues and benefits. However as the applicant has not worked from 1987, the date of his retirement, so he shall not be paid the back wages."

2. The respondents have filed a reply to the Contempt Petition, which has been perused.

3. The respondents had made payment of pension to the petitioner for the period 18-6-1987 to 31-12-1991 which was the date of his normal superannuation. The petitioner was earlier compulsorily retired w.e.f. 18-6-1987 and after passing of the said order by the Tribunal he was deemed to be in service upto 31-12-1991 i.e. the date of his normal superannuation. The total payment of pension made to him for the period from 18-6-1987 to 31-12-1991 is Rs. 53181/- . This payment of Rs. 53181/- to the petitioner for the aforesaid period is, in our view, in compliance with the directions of the Tribunal. Of course, as stated by the respondents themselves, the petitioner would be entitled to all the normal pensionary benefits w.e.f. 1-1-1992 on the assumption that he was ^{alw} in service from the date of his compulsory retirement on 18-6-1987 to the date of his normal superannuation on 31-12-1991.

4. The Contempt Petition stands disposed of. Notices issued are discharged.

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(O.P.Sharma)
Administrative Member

G.K.Khanna
(Gopal Krishna)
Vice Chairman