

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 15.05.2014

CP No. 58/2013 (OA No. 516/2009)

Mr. P.N. Jatti, counsel for petitioner.
Mr. Mukesh Agarwal, counsel for respondents.

Heard learned counsel for the parties.

C.P. is dismissed by a separate order on the separate sheets for the reasons recorded therein.

M. Nagarajan
(M. NAGARAJAN)

JUDICIAL MEMBER

Anil Kumar
(ANIL KUMAR)

ADMINISTRATIVE MEMBER

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

CONTEMPT PETITION NO. 58/2013
IN
ORIGINAL APPLICATION NO. 516/2009

Date of Order: 15.05.2014

CORAM

**HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER
HON'BLE MR. M. NAGARAJAN, JUDICIAL MEMBER**

Hanuman Prasad Sharma S/o late Shri Ram Chandra Tiwari, by caste Sharma, aged about 69 years, R/o Ward No. 14, Tiwari Mohalla-Reengus, Distt. Sikar, presently retired as Junior Accounts Officer from BSNL.

...Petitioner

Shri P.N. Jatti, counsel for applicant.

VERSUS

Mr. Govind Singh, Head Post Office, Shri Madhopur, Distt. Sikar.

...Respondent

Shri Mukesh Agarwal, counsel for respondent.

ORDER (Oral)

Heard learned counsel for the parties.

2. This Tribunal vide its order dated 03rd January, 2013 in OA No. 516/2009 in para 6 passed the following directions: -

"6. Having considered the rival submissions of the parties and more particularly the submissions of the applicant, the respondents are directed not to recover any amount pursuant to the impugned order dated 17.11.2008 (Annexure A/1) but they are at liberty to adjust the excess amount from the arrears to be paid on the basis of revised payment order. The respondents are further directed to release revised pensionary benefits to the applicant immediately and the applicant is expected to cooperate with the respondents in doing the needful for getting revised pensionary benefits."

3. In compliance of these directions, learned counsel for the respondents submitted Memo of Compliance Report today before

Anil Kumar

this Tribunal. Learned counsel for the respondents submitted that in compliance of the orders of this Tribunal, the applicant has been paid the arrears of pension from 01.01.2007 to 31.10.2011 amounting to Rs. 1,45,881/- and he has also been paid outstanding pension with effect from November, 2008 to December, 2012 amounting to Rs. 4,31,165/- after adjustment / deduction of excess / over payment of Rs. 31,264/-. As such, total amount of Rs. 5,77,046/- has been paid to the petitioner on 09.05.2014 vide Annexure CPR/9 and Annexure CPR/10. Thus, he submits that the order of this Tribunal has been fully complied with.

4. Learned counsel for the applicant submits that the amount of Rs. 31,264/- should not have been recovered from the applicant.

5. In view of the compliance report, we are satisfied that the substantial compliance of the order dated 03rd January, 2013 passed in OA No. 516/2009 has been made by the respondents. However, if the applicant is still aggrieved by any decision of the respondents, he is at liberty to seek his grievances redressed before the appropriate forum.

6. The Contempt Petition does not survive and it is dismissed accordingly. Notices issued earlier to the respondents are discharged.

म. नारायण
(M. NAGARAJAN)
JUDICIAL MEMBER

Anil Kumar
(ANIL KUMAR)
ADMINISTRATIVE MEMBER