

**Central Administrative Tribunal
Principal Bench, New Delhi**

C.P. No.178/2017 in O.A. No.3597/2011

Tuesday, this the 21st day of November 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Sh. Bhoj Prakash
Sh. S N Singh
s/o late Sh. Malhu Singh
(Retired Principal from GBSSS
Rajouri Garden (Main), New Delhi)
R/o A-23, Vikas Puri, New Delhi – 110 018

..Applicant

(Mr. Ajai Kumar, Advocate)

Versus

1. Shri M M Kutty, IAS
Chief Secretary
Govt. of NCT of Delhi
Player's Building, I P Estate
New Delhi – 110 002
2. Ms. Saumya Gupta, IAS
Director of Education
Directorate of Education
Govt. of NCT of Delhi
Old Secretariat, Delhi – 110 054

..Respondents

(Mrs. Avnish Ahlawat, Advocate)

O R D E R (ORAL)

Justice Permod Kohli:

Vide order dated 04.05.2016 passed in O.A. No.3597/2011, following directions were issued to the respondents:-

“7. However, in view of the clear stipulation in the order of promotion, they are not entitled to any financial benefit, meaning thereby, that the differential in the pay of Vice Principal and Principal will not be admissible to them. We therefore, dispose of this OA with the following directions:

1. On the strength of the promotion order dated 22.10.2008, the pay of the applicants shall be notionally fixed from the date they have been adjusted against the available vacancies.
2. They will be entitled to consequential pensionary benefit by counting aforesaid pay fixation.
3. The applicants will not be entitled to any financial benefit of differential of salary between post of Vice Principal and Principal for the period they were holding the charge or have been discharging the duties.

8. Let the impact of the above directions be calculated and consequential benefit released to the applicant within a period of three months. In the event the benefit is not released within the aforesaid period, the applicants will be entitled to the interest at the GPF rates for the period of delay.”

2. A fresh compliance affidavit has been filed by the respondents on 17.11.2017 enclosing therewith Annexure – CA-1 letter dated 12.10.2017, which is addressed to the Pay & Accounts Officer for revision of pension and other retiral benefits of the applicant. The calculations are also given in Form 7 – column 18 onwards. A separate calculation sheet is also enclosed.

3. Insofar as the calculations are concerned, the same are not disputed. However, learned counsel for applicant submits that under the directions of this Tribunal contained in paragraph 8 of the aforesaid order, the respondents were also required to pay interest at the GPF rates in the event the benefits are not paid within three months from the date of the judgment, but no interest has been paid. This position is conceded by Mrs. Avnish Ahlawat, learned counsel appearing for respondents. She, however, submits that the interest, as payable in terms of the judgment of the Tribunal, shall be calculated and paid to the applicant within a period of four weeks.

4. In view of this undertaking, the present contempt proceedings are hereby dropped. In the event the amount of interest is not paid, the applicant shall have the liberty to revive this C.P.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

November 21, 2017
/sunil/