

**Central Administrative Tribunal
Principal Bench**

CP No.546/2014

in

OA No.2639/2012

New Delhi, this the 4th day of May, 2016

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. Shekhar Agarwal, Member (A)

Shri Ram Saran
S/o Late Fakirey Lal,
R/o D-69, Tripathi Enclave,
Prem Nagar-II, Kirari,
Surender Nagar,
Dlehi 110 086. Applicant.

(By Advocate : Shri Yogesh Sharma with Ms. Sonika)

Versus

1. Shri A. K. Sanchan
Divisional Railway Manager
Northern Railway, Delhi Division,
State Entry Road,
New Delhi.
2. Shri B. C. Nagar
Divisional Personnel Officer,
State Entry Road,
New Delhi. ... Respondent.

(By Advocates : Shri Kripa Shankar Prasad and Shri V.S.R. Krishna)

: O R D E R (ORAL) :

Justice Permod Kohli, Chairman :

Rejoinder to the compliance report has been filed on behalf of the applicant. He has placed on record copy of an order dated 28.10.2015 whereby the applicant has been communicated about payment of pensionary benefits by counting casual/temporary service rendered by him w.e.f. 08.11.1979 to 31.12.2012. Based upon this order, it is argued on behalf of the applicant that entire judgment of this Tribunal dated 26.05.2014 in OA No.2639/2013 has not been complied with.

2. Shri Kripa Shankar Prasad, learned counsel for the respondents has referred to the order dated 22.12.2014 passed by Hon'ble Delhi High Court in W.P. (C) No.9138/2014, which reads as under:-

“Issue notice limited to the question of grant of arrears of pensionary benefits and arrears of differential pay upon proper pay fixation to the respondent applicant, returnable on 09.03.2015. Subject to the petitioner disbursing the arrears of pension and pay limited to the period after 01.01.2010, no adverse orders shall be made in the meanwhile.”

3. The Hon'ble Delhi High Court has made interim arrangement for payment of arrears of pension limited to the period after 01.01.2010. This clearly means that the entire judgment of the Tribunal is not to be complied with and the payment of arrears of pensionary benefits is limited to the period after 01.01.2010. The communication dated 28.10.2015 relied upon by learned counsel for the applicant do not mention about other directions of this Tribunal. The matter is pending before the Delhi High Court and the judgment passed by this Tribunal is under consideration. We are satisfied that the order passed by the Hon'ble Delhi High Court has been substantially complied with.

4. In this view of the matter, these contempt proceedings are dropped at this stage.

(Shekhar Agarwal)
Member (A)

(Permod Kohli)
Chairman

/pj/