

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

**CP-685/2014
in OA-61/2013**

New Delhi this the 08th day of August, 2016.

**Hon'ble Sh. Shekhar Agarwal, Member (A)
Hon'ble Mr. Raj Vir Sharma, Member (J)**

Sh. Nem Pal, 62 years,
S/o Late Sh. Ram Singh,
R/o Village jajal,
P.O. Jhudnpur,
Distt. Sonepat (HR). ... Petitioner
(By Advocate : Sh. Naresh Kumar)

Versus

Smt. Devshree Mukherjee,
Chairperson-cum-Managing Director,
Delhi Transport Corporation,
Govt. of NCT of Delhi,
Indraprastha Estate,
New Delhi-110002. ... Respondent
(By Advocate : Ms. Ruchira Gupta with Ms. Mona Sinha)

ORDER (ORAL)

Hon'ble Sh. Shekhar Agarwal, Member (A)

This contempt petition has been filed for alleged non-compliance of our order dated 05.08.2014, operative part of which reads as follows:

"16. In the light of the above discussions, we hold and declare that the applicant shall be deemed to have opted for pension scheme benefits in terms of Clause 9 of the office order dated 27.11.1992 (*ibid*). Accordingly, the respondents are directed to determine the claim of the applicant for pension and communicate their decision to the applicant within a period of three months from the date of receipt of copy of this order. It is, however, made clear that if any CPF benefits, etc., which are not payable to pension optee, have already been paid to the applicant, the respondents are free to recover the same from him after following due and established procedure.

17. In the result, the O.A. is allowed to the extent indicated above. No order as to costs."

2. Today when this case was taken up, learned counsel for the alleged contemnor has handed over to us a copy of an affidavit dated 08.08.2016

along with which is annexed a copy of the corrigendum dated 01.08.2016 by which the applicant has been granted DTC Pension Scheme. The applicant has since expired, the benefits are however being extended to his nominee who is his widowed wife.

3. After perusal of the aforesaid affidavit, we are satisfied that our order has been substantially complied with. Accordingly, we close this CP. Notice issued to the alleged contemnor is discharged.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

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