

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

C.P. No. 98/2014 In

T.A. No. 2/2007

And

C.P. No. 99/2014 In

T.A. No. 3/2007

New Delhi, this the 7th day of September, 2018

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

Mahesh Kumar (dead) through Legal Heirs :-

1. Mrs. Lalit Kumari,
W/o. Late Shri Mahesh Kumar,
2. Shri Ravindra Kumar Sharma
3. Shri Surendra Kumar Sharma
4. Shri Akhilesh Kumar
5. Dr. Alok Kumar

All sons of Late Shri Mahesh Kumar,
R/o. 97, Old Vijay Nagar Colony,
Agra-4.

....Petitioners

(By Advocate : Mr. Shailabh Pandey for Ms. Rachna Joshi
Issar)

Versus

1. Mr. V. N. Garg,
Principal Secretary, Forest Department,
U. P. Government
Bapu Bhawan (Sixth Floor),
Lucknow, U.P.
2. Mr. J. S. Asthana
Principal Chief Secretary of Forests
17, Rana Pratap Marg,
Lucknow, U.P.

...Respondents

(By Advocate : Mr. Anil Mittal with Ms. Komal Aggarwal)

O R D E R (O R A L)

Justice L. Narasimha Reddy, Chairman :

These Contempt Petitions have been filed alleging that the respondents did not implement the orders dated 01.02.2013 in Transfer Applications No. 02/2017 and 03/2017. Through the order in the said Transfer Applications the Tribunal directed the respondents to work out the pay and pension of the petitioner duly taking into account the scales of pay and other relevant factors. Interest @ 10% was also awarded.

2. On their part, the respondents filed several counter affidavits and compliance affidavits at different stages. In the compliance affidavit filed on 24.07.2014, the respondents stated that a sum of Rs.33,060.00 towards the remaining pay and allowances, Rs.99,180.00, being interest thereon, Rs.17,31,834.00 towards arrears of pension and family pension and interest of Rs.12,42,247.00 thereon, aggregating to Rs.31,06,321.00 was remitted to the account of the applicant. It is also brought to our notice that during the pendency of the Writ Petition filed by the applicant a sum of Rs.14,55,805.00 was paid and thereby the entire arrears together with interest, have been deposited in the account of the applicant.

3. In the rejoinder filed on 08.03.2016, it was stated that some more amount is due to him, but no specific amount was mentioned. We cannot undertake exercise of calculation in this C.P, when the petitioner himself is not clear.

4. We hold that the order passed by this Tribunal is substantially complied with. In case, the applicant is of the view that he is entitled for payment of any further amount, it shall be open to him to make a representation to the respondents mentioning the exact amount. It is needless to mention that respondents shall take note of the claim and pass a speaking order thereon within three months from the date of receipt of such representation, if any.

5. The C.Ps. are accordingly closed. Miscellaneous Applications, if any, shall stand disposed of. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/Mbt/