

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

**C.P. No. 439/2018  
O.A. No. 1338/2018**

New Delhi, this the 10<sup>th</sup> day of September, 2018

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

Sh. Rakesh Mohan,  
Age – 66+ years,  
S/o. Sh. Rajeshwar Nath,  
R/o. K-6C, Saket,  
New Delhi – 110 017.

....Petitioner

(By Advocate : Mr. Sachin Chauhan)

Versus

Sh. Anshu Prakash  
Chief Secretary,  
Govt. of NCT of Delhi,  
Delhi Sachivalaya, I.P. Estate,  
New Delhi – 110 002.

....Respondent

(By Advocate : Mr. Kapil Agnihotri)

O R D E R (O R A L)

**Justice L. Narasimha Reddy, Chairman :**

The applicant filed O.A No. 1338/2018 alleging that he retired on 31.01.2012 but was not paid any retirement benefits or pension. The O.A was disposed of on 04.04.2018 directing that the applicant can make a detailed representation and on that, the respondents shall pass a speaking order within a period of one week from the date of

receipt of copy of the order. The applicant submitted a detailed representation dated 20.04.2018.

2. This Contempt Petition is filed alleging that the respondents are not being given any reply as directed by this Tribunal vide its order in the O.A.

3. We heard Mr. Sachin Chauhan, learned counsel for petitioner and Mr. Kapil Agnihotri, learned counsel for respondents.

4. The O.A was filed with an assertion that the applicant was not paid any pension or retirement benefits. However, a perusal of the representation dated 20.04.2016 made by the applicant discloses that one after the other, almost all the benefits such as pension and leave encashment were extended. His pension was also revised on the basis of the notional promotion given to him over the period. When this is the situation, the very cause of action in the O.A in which the said order was passed was substantially different.

5. We, therefore, close the C.P. leaving it open to the applicant to make a brief representation as to what remains to be extended to him. It is needless to mention that, in

case, the grievance of the applicant remains, it shall be open to him to pursue the remedies in accordance with law, but not by way of contempt petition. There shall be no order as to costs.

(Aradhana Johri)  
Member (A)

(Justice L. Narasimha Reddy)  
Chairman

/Mbt/