

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

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**Contempt Petition No. 60/153/2018 & M.A. NO.
60/164/2019, M.A. NO. 1567/2018 in
ORIGINAL APPLICATION NO. 060/853/2016****Chandigarh, this the 28th day of January, 2019**

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MRS. P. GOPINATH, MEMBER (A)**

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Sangeeta Kazal wife of late Shri S.P. Kazal, (IAS, J & K Cadre),
resident of Flat No. 33, Block-B, GH-94, PGI Enclave, Sector 20,
Panchkula.

....PETITIONER

(By Advocate: Shri Sandeep Siwatch, proxy for Mr. A.D.S. Bal)

VERSUS

1. Shri Jiwan Kapur, Manager, State Bank of India, Sector 12,
PGI Complex, Chandigarh.
2. Smt. Seema Bansal, Manager, State Bank of India, Sector 5,
Panchkula.

....RESPONDENTS

(By Advocate: Shri T.S. Hundal proxy for Shri Mahesh Dheer)

ORDER (oral)**SANJEEV KAUSHIK, MEMBER (J)**

This Court, vide order dated 15.1.2018, allowed the Original Application with the directions to the respondent Bank to pay interest at the rate admissible to the GPF amount, to the petitioner from the date it became due till the actual date of payment. She was held entitled to disbursement of family pension w.e.f. 1.1.2006. The order was challenged before the Hon'ble High Court in CWP No. 24521 of 2018 at the hands of Bank in which notices have been

issued to the respondents, but the Hon'ble High Court directed the bank to pay interest to the respondent-retirees without prejudice to right against the State Government. Accordingly, in para no. 5 respondent-bank in its compliance affidavit has recorded as under:-

"That therefore an amount of the Rs. 227047/- on account of interest has been credited in the account of the applicant on 12.11.2018. It is pertinent to mention that before filing the OA NO. 60/153/2018, the applicant was received 50% family pension. The applicant had prayed the relief of getting 100% family pension in the said OA. During the pendency of the said petition 100% amount of family pension alongwith arrears amounting to Rs. 2478237/- stood released to applicant. An amount of Rs. 227047/- on account of interest have been calculated commencing from the date of filing her claim i.e. filing of the OA, as the date of pension has not been informed by the employer i.e. State of Jammu & Kashmir, as no such revision letter have been issued by State of Jammu & Kashmir so as to ascertain the date of commencement of 100% pension of the applicant. Therefore, the answering respondent have written to State of Jammu & Kashmir to issue the revision letter where the clear mention of the date of commencement of entitlement is given is mentioned. After receiving the date of commencement of the pension the rest of the complete interest, if any, will be paid immediately. A copy of the letter sent to the State of Jammu & Kashmir is attached herewith as Annexure R-2 for the kind perusal of this Hon'ble Court."

2. Considering the stand taken by the Bank in the extracted paragraph, the present C.P. is closed at this stage as having been rendered infructuous. Notice is discharged.

(P.GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 28.01.2019

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