

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

**CP 61/2019
In
OA 3832/2015**

This the 31st day of May, 2019

**Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Anis Ahmad, aged about 60 years,
S/o Late Mohd. Hamid,
R/o House No. R.N.60, B-Block, Sector 62, Noida,
Distt. Gautam Budha Nagar,
Uttar Pradesh 201301

... Applicant/Petitioner

(By Advocate: Sh. R.S. Kaushik)

VERSUS

Shri Santosh Kumar Mall,
Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi – 110016
Old Secretariat, Delhi-54.

...Respondents/Contemnor

(By Advocate: Sh. U.N. Singh)

ORDER (ORAL)

Hon'ble Mr. R.N. Singh, Member (J):

The present Contempt Petition (CP) relates to wilful
disobedience of the directions of the Tribunal in

order/judgement pronounced on 01.05.2017 in OA 3832/2015 (Annexure - CP-I). The operative portion thereof reads as under:-

“12. In the conspectus of the discussions in the pre-paragraphs, I dispose of this O.A. with the following directions:

Respondent Nos. 2 to 5 & 7 (KVS) are directed to release all dues in regard to gratuity and leave encashment to the applicant pertaining to the period when he was serving under KVS, i.e., from 29.08.1985 to 24.07.2007. They are also directed to send a formal letter to respondent No. 6 (Directorate of Education), under intimation to the applicant, that CPF contributions have been remitted to his CPF account for the entire period of service rendered by him under KVS. This shall be done by the said respondents within a period of three months from the date of receipt of a copy of this order.”

2. In pursuance of notice issued by the Tribunal, the respondent filed the affidavit of compliance dated 27.05.2019 and in para 3 of such affidavit, the respondent has stated as under:-

“3. THAT I hereby state that as per the Office Order F.No. 16032/10/2010/KVSHQ (Estt.II)/7062 dated 17.6.2016 conveying the approval of the Commissioner, KVS, regarding transfer of the services from 29.08.1985 to 24.07.2007 and pro-rata benefits (DCRG Rs. 2,87,639) payable by KVS was issued and vide letter of even No. dated 4.7.2016 the said amount was remitted vide cheque no.981925 dated 23.6.2016 to the office of the Deputy Director of Education, New Delhi. An amount of Rs. 1,07,647/- has been remitted through Kendriya Vidyalaya, Paluwas (Bhiwani) to the personal account of the applicant on 19.06.2018 as per Office Order F.No. 32238(316)/KVS/(GGN)/Pension/2017-18 dated 05.04.2018 with regard to payment of Leave Encashment. Further an amount of Rs. 12,19,104/- (O.S. Rs. 8,02,149/- and M.S. Rs. 4,16,955/-) towards the balance in his CPF Account No.2766 have been transferred to the Government of NCT through DD no. 336696 dated 03.10.2016 vide letter F.No.41029/2016-17/KVS(GGN)/Acc dated 13.10.2016.”

3. Learned counsel for respondent submits in view of the specific averments of the applicant, that directions of Tribunal have already been complied with, the present CP is liable to be closed.

4. Learned counsel appearing for the petitioner submits that the petitioner should be granted liberty to agitate the grievance, if any remains and if so advised.

5. In view of the aforesaid facts, we find that the directions of this Tribunal have already been complied with. Accordingly, the present CP is closed. Notices are discharged with liberty to the petitioner in accordance with law.

(Mohd. Jamshed)
Member (A)

(R.N. Singh)
Member (J)

/akshaya/