

(10)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP No.51/2005
OA No.1667/2004

New Delhi, this the 1st June, 2005

Hon'ble Mr.Justice M.A.Khan, Vice-Chairman (J)
Hon'ble Mr.M K.Misra, Member(A)

Rattan Lal Gupta (Redt. Principal)
S/o Late Shri Tulsi Ram Gupta,
R/o E-2/114, Shastri Nagar,
P.O. Ashok Vihar, Delhi-52.Applicant.
(Shri R.L.Gupta, applicant in person)

Versus

Shri Rajendra Kumar,
Director of Education,
Govt. of NCT of Delhi,
Old Sectt., Delhi-54.Respondent.

(By advocate: Ms. Kanika Vadhera for Mrs. Avnish Ahlawat)

O R D E R (ORAL)

By Mr. Justice M.A.Khan:

The respondent has implemented the order-dated 27.10.2004 passed in OA No. 1667/2003 and OA No.2329/2003 but the dues of the applicant have not been released within the time stipulated by the Tribunal. It seems that earlier the Tribunal was told that the respondents proposed to file a SLP in the Hon'ble Supreme Court against the order of the High Court and the matter was listed on 17.5.2005. Again order dated 18.5.2005 shows that respondents stated that in case there was no stay of the operation of the order of the Tribunal, the respondents would file a compliance affidavit on the next date. Still the SLP has not been filed. Today, learned counsel for the respondents has stated that the SLP is almost ready and the same will be filed in the Hon'ble Supreme Court shortly. She has submitted that the respondent is willing to release the dues in terms of the order of the Tribunal but the applicant may be asked to furnish a guarantee.

Macrae

2. The applicant, who appears in person, has stated that he has no objection to furnish a guarantee. He has submitted that respondent may release the amount by issue of a cheque drawn in favour of the applicant to be deposited in the Pension Account of the applicant in the State Bank of India, Tir Hazari making endorsement thereon that the amount will be allowed to be withdrawn by the applicant on further order of the Tribunal. Learned counsel for the respondent agrees with it. She has stated that the order of the Tribunal will be implemented within one week and that the endorsement on the cheque will be made that the amount deposited in the Pension Account of the applicant amount will not be allowed to be withdrawn without prior order of the Tribunal. The applicant has undertaken to furnish particulars of pension account of applicant to the respondent soon.

3. In view of above, the Contempt Petition is dismissed and notices discharged. It will be open to the applicant to file fresh contempt petition, if necessary, in accordance with law, if the order is not implemented.

Issue Dasti:

(M.K. Misra)
Member (A)
(M.A.Khan)
Vice-Chairman(J)

Akdr/