

**Central Administrative Tribunal
Principal Bench**

**CP No.387/2019
in
OA No.2089/2003**



New Delhi, this the 18th day of November, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

M.B. Usgaonkar,
aged 84 years,
S/o Shri Bhaskar Usgaonkar,
R/o G-303\304, Devashri Garden, Socorro,
Porvorim, Goa-403 50.

...Applicant
(By Advocate : Shri Vikas Tiwari)

Versus

1. Parveen Dudeja,
Deputy Secretary to GOI,
Ministry of Defence,
South Block,
New Delhi-1100 001.
2. S.S. Vagulaparman,
Under Secretary to GOI,
Ministry of Defence,
South Block,
New Delhi-110 001.

...Respondents
(By Advocate: Shri Hanu Bhaskar)

ORDER (ORAL)**Justice L. Narasimha Reddy, Chairman :-**

The applicant filed OA No.2089/2003, claiming certain retirement benefits. The OA was allowed on 14.08.2018, directing that the respondents shall work out the cash equivalent of the Half Pay Leave that existed to the credit of the applicant for the services rendered by him, till he retired on attaining the age of superannuation; within three months from the date of receipt of a certified copy of the order. This contempt case is filed alleging that the respondents did not implement the orders in the OA.

2. On behalf of the respondents, a detailed counter affidavit is filed. It is stated that in compliance of the orders passed in the OA, they have worked out the cash equivalent of the Half Pay Leave and it came to Rs.48,260/-. It is also stated that the said amount was paid to the applicant through cheque on 16.01.2019, and the same has been received by the applicant.



3. We heard Shri Vikas Tiwari, learned counsel for applicant and Shri Hanu Bhaskar, learned counsel for respondents.

4. The direction issued in the OA was to work out the cash equivalent of Half Pay Leave. The OA was allowed and three months time was granted. The respondents worked out the cash equivalent. Interest @ 6% was ordered, in case the amount is not paid, within three months. However, from perusal of the counter affidavit, it is seen that after the copy of the order was received, the respondents started the process and the amount was paid on 16.01.2019. On taking into account the sequence of events, mentioned in the para 4, we are convinced that there is no lapse on the part of the respondents. In case the applicant has any grievance about the calculation, he can point out the same to the respondents, through a representation. We, therefore, close the CP.

There shall be no orders as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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