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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 581/2015 & CM APPL. 10140/2016

SAHKARMI WELFARE ASSOCIATION OF
RETIRED EMPLOYEES OF NATIONAL COUNCIL
FOR COOPERATIVE TRAINING

..... Petitioner

Through: Ms. Prabhasahay Kaur, Advocate with
Ms. Shilpa Dewan, Advocate.

versus

DR CHANDRAPAL SINGH & ANR

..... Respondents

Through: Mr. J.K. Singh, Advocate with
Mr. Praveen Kumar, Advocate with
Mr. B.S. Rohilla, Director (Finance),
NCCT.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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09.02.2017

Present contempt petition has been filed alleging wilful disobedience of the Division Bench judgment and order dated 29th April, 2015 whereby the petitioner's LPA 214/2015 was disposed of with a direction that in future revised Dearness Allowance benefit (Dearness relief benefit for retired employees) would be paid simultaneously i.e., to the serving and retired employees arrears would be disbursed together.

Learned counsel for respondents states that the Dearness Allowance that was due on 10th April, 2016 has now been paid to the members of the petitioner-association along with 9% interest as directed by the Division Bench.

However, learned counsel for petitioner states that the benefit of increase in Dearness Allowance in November, 2016 has not been paid to the retired employees till date even though the said benefit has been disbursed to the serving employees.

Learned counsel for respondents, on instructions, states that the latest Dearness Allowance benefit could not be paid to the retired employees as the Chairman of the respondent-Corporation is a Member of Parliament and he is busy in campaigning in Uttar Pradesh for the forthcoming State elections.

At this stage, learned counsel for petitioner states that whenever there is increase in Dearness Allowance, there is delay in payment to the retired employees as normally the Chairman is not available.

Keeping in view the aforesaid facts as well as the binding directions of the Division Bench, this Court directs that Board of the National Council for Cooperative Training (for short 'NCCT') to pass a resolution authorising respondent No.2 i.e. Director General of NCCT to authorise payments of Dearness Allowance to the retired employees.

Let the said resolution be passed within a period of four months.

In the meantime, the delayed payment of Dearness Allowance benefits shall be released to petitioner along with 9% interest as stipulated in the order dated 29th April, 2015.

With the aforesaid directions, present contempt petition and application stand disposed of.

MANMOHAN, J

FEBRUARY 09, 2017

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