CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.1522 OF 2002

New Delhi, this the 28th day of April 2003

HON'BLE SHRI KULDIP SINGH, MEMBER (J)

Shri J.C. Chugh (Retired)
3346, "C" Chanderlok,
D.L.F., Phase IV,
Gurgaon (Haryana). .....Applicant
(By Advocate : Shri K.L. Bhandula)

Versus

1. Union of India through
The Secretary, Ministry of Science & Technology,
New Delhi-110016.

2. The Director General,
Council of Scientific & Industrial Research,
Anusandhan Bhawan, 2, Rafi Marg,
New Delhi-110001.

3. The Director,
Central Mining Research Institute,
Dhanbad-926001 (Jharkhand) ....Respondents

(By Advocate : Ms. K. Iyer)

ORDER (ORAL)

Heard the learned counsel for the parties and perused the material on record.

2. Applicant has filed this OA under Section 19 of the A.T. Act, 1985, as he is aggrieved that despite his retirement under FR 56, he has not been paid the various dues as per his representation dated 20.12.2001, a copy of which is Annexure I and the details of the dues, according to the applicant, which has not been paid are mentioned in paragraph 10 of the said representation. In nut shell the applicant is claiming Rs.2,55,705/- which includes balance of G.P.F. accumulation, residuary gratuity payment, misc. dues such as payment towards Lib. Books, Grant & packing allowance, arrears of salary increment, half pay leave encashment, transfer

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T.A. for self and family, transportation of personal effects and salary of the applicant though initially retired compulsory but later on voluntarily w.e.f. 5.5.86 and earlier claim of 180 days of E.L. and 59 days of H.P.L.

3. Respondents are contesting the OA. Respondents pleaded that the applicant is misusing the process of law, as the Court had already disposed of several OAs and MAs filed by the applicant in this regard. The respondents submitted that they do not owe a single penny to the applicant and the claim of Rs.1,82,308/2,55,705/- has been wrongly stated by the applicant. The respondents have also placed on record a copy of letter dated 25/31.01.2002, which has been addressed to the applicant. Along with the said letter, they have annexed the details of the payments made to the applicant. Counsel for the applicant wanted to get it checked up by the applicant and sought time, therefore two officials from Dhanbad from the side of the respondents were also summoned to tally the amount. The respondents and applicant had tallied the details of the dues paid and checked the records with those officials.

4. Since there is no order complained of ~~of punishment~~ has been filed, under A.T. Act, this Tribunal cannot exercise its ~~their full~~ power of judicial review. ~~[illegible]~~ Moreover, the respondents have made a statement by stating that each and every amount which has been claimed by the applicant has been

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paid to him and adjusted by the respondents, which fact is not denied by the applicant. Learned counsel for the applicant submitted that though the amount has been adjusted but the applicant is at least entitled to be given interest thereupon. On the contrary, the respondents have placed on record, the statement of accounts showing that the payment of dues have been made to the applicant. Since the applicant is unable to show that what amount is remaining to be paid, it is the applicant, who has not calculated the amount correctly nor he has been able to satisfy his claim with respect to any amount due to him.

5. Hence, OA being without merit, is accordingly dismissed. No costs.

(KULDIP SINGH)
MEMBER (J)

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