

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 578/2002

New Delhi, this day the 4th March, 2002

HON'BLE MR. S.A.T. RIZVI, MEMBER (A)

Smt. Urmil Sharma (Ex-PET)
W/o Sh. K.N. Sharma,
R/o C-97/G-3
Behind Ocean Plaza,
Shalimar Garden Extension II,
Sahibabad
Distt. Ghaziaabad - UP

... Applicant

(By Advocate : Shri A.N. Gupta)

Versus

1. Union of India through
Secretary,
Ministry of Human Resource Development,
Shastri Bhawan, New Delhi
2. Govt. of N.C.T. of Delhi
through its Principal Secretary,
Delhi Secretariat,
Vikas Marg,
New Delhi - 110 002
3. Director of Education,
Directorate of Education,
Govt. of N.C.T. of Delhi,
5, Sham Nath Marg,
Delhi - 110054
4. The Controller of Accounts
Principal Pay & Accounts Office - IX,
Old Secretariat,
Delhi - 110 054
5. Dy. Director of Education (North-West),
Hakikat Nagar,
Delhi - 110 009
6. The Principal,
Rani Chennamma Govt. Sarvodaya Kanya
Vidyalaya,
D-Block, Jaahangir Puri,
Delhi - 110033
7. The D.D.O.
Govt. Girls Middle School,
E-Block, Jahangir Puri,
Delhi - 110033

... Respondents

Dr

ORDER (ORAL)

The applicant retired as Physical Education Teacher (PET) on 31.10.2000. At the time of retirement, she was receiving Rs.10,100/- as monthly salary. The average of last 10 months also worked out to ~~Rs.~~ Rs.10,100/- and, therefore, her pension should have been fixed taking into account her basic pay as Rs.10,100/-. At the same time if the respondents had taken another sum of Rs.200/- into account, ^{as claimed by the applicant} her pension should have been fixed on the basic pay of Rs.10,300/-. Despite this position, her pension has been fixed on the basic pay of Rs.9,700/-, i.e., short by Rs.600/- per month.

2. In addition to pension, the applicant has been deprived of the amount of gratuity by an amount of Rs.93,329/- deducted without assigning any reason. Her pension has been released in August 2001 and the insurance money in July 2001. The remainder of her gratuity has also been released.

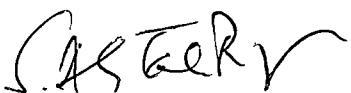
3. Aggrieved by the incorrect fixation of her pension and ^{withholding} of Rs.93,329/- from the gratuity amount and a further deduction of Rs.4,853/- (Annexure A-1 Colly.), the applicant filed several representations, the last being dated 5.11.2001, without any response so far.

4. Having regard to the submissions made by the learned counsel and the nature of grievance raised, I

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find that interest of justice will be duly met by disposing of this OA at this very stage with a direction to the respondents to dispose of the aforesaid representations expeditiously and in any event within a period of two months from the date of receipt of a copy of this order. The respondents are further directed to pass a speaking and a reasoned order quoting the rules and regulations which they might rely upon in disposing of the representations. The question of payment of interest will also be considered and decided by the respondents in the light of the current instructions.

5. The O.A. is disposed of in the ~~ab~~aforestated terms.



(S.A.T. RIZVI)
MEMBER (A)

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