

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No.802/2019

Date of Decision: 30th December, 2019

CORAM: R. VIJAYKUMAR, MEMBER (A)

Hemant R. Purandare, aged 60 yrs.,
Asst. Passport Officer (Retd.)
R/at.-104, Bhavini,
Y.R. Tawade Road,
Dahisar (E), Mumbai - 400068. ... **Applicant**

(By Advocate Ms. Annie Nadar)

VERSUS

1. The Union of India, through
The Secretary,
Ministry of External Affairs
Government of India,
New Delhi - 110 011.
2. The Joint Secretary (P.S.P.) & C.P.O.
P.S.P. Division,
Ministry of External Affairs,
Patiala House Annex, Tilak Marg,
New Delhi - 110 001.
3. The Regional Passport Officer,
Ministry of External Affairs,
Videsh Bhawan, Bandra Kurla Complex,
Plot No.C-45, G-Block,
Bandra (E),
Mumbai - 400 051. ... **Respondents**

(By Advocate Shri V.S. Masurkar)

ORDER (ORAL)

This OA has been filed on 26.11.2019 under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

- "8(a) To allow this Original Application;*
- (b) To direct the respondents to release the pension of the applicant.*
- (c) To direct the respondents to disburse the amount towards leave encashment, commutation of pension, gratuity, C.G.E.G.I.S. and any other retiral dues.*
- (d) To grant interest @18% p.a. on such delayed payment of pension and retirement benefits.*
- (e) To grant all consequential benefits.*
- (f) To pass any other orders which may be just and equitable in the facts and circumstances of the case.*
- (g) To award cost of the application."*

2. The applicant was charged in criminal proceedings which were heard by the Competent Criminal Court in CC No.256/P/2003 and in which the Learned Court passed orders on 19.10.2012, acquitting the applicant alongwith others accused. The applicant superannuated in February, 2019 after securing two promotions in the grade of Superintendent and Senior Superintendent.

3. In an OA No.752/2017 filed by this applicant before this Bench and which was decided on 08.01.2019, the respondents were directed to grant him the pay fixation as a

result of the promotions granted to him and then to grant him consequential benefits within four weeks of receipt of a certified copy of those orders which was by end of February, 2019 prior to his retirement. The applicant now pleads that although he has filed all the necessary pension papers to them online and by submission of hard copy on 28.02.2019 and 13.03.2019 respectively, no pension or pensionary benefits have been disbursed to him. He had filed a representation on 25.07.2019 (Annexure A-7) to the respondents for release of his pension and pensionary benefits. However, payments were not made to him till date.

4. Learned counsel for the respondents bring to notice that the respondents in the Mumbai Office had addressed the Ministry on 21.06.2019 for orders and after consultation with the Department of Pension and Pension Welfare, that Ministry had, in letter dated 16.12.2019, directed the local respondents to process his pension case for grant of regular pension and retirement dues subject to the final disposal of the criminal case in which

the respondents had filed an appeal.

5. Learned counsel for the respondents argues that the respondents will now process his papers and take necessary action so that the CPAO at New Delhi may issue his PPO and for him to receive payments through nominated Bank.

6. Learned counsel for the applicant argues that there has been a grave delay from February when the applicant superannuated and the date on which PPO will finally be issued and therefore, the applicant is also entitled to interest on the pension and pensionary benefits.

7. I have heard the learned counsels for the applicant and the respondents at length and have carefully considered the facts, circumstances, law points and rival contentions in the case. I have also carefully examined the pleadings and annexures filed by the parties.

8. In the aforesaid circumstances described at length above, the respondent No.3 is directed to process the pension papers of the applicant which are stated to

be in complete shape by the learned counsel for the applicant and ensure that matters are processed as early as possible so that PPO is issued in any case, not beyond three months from the date of receipt of a certified copy of these orders. The respondents are also further directed to pay interest in accordance with the applicable rules for each component of pension/benefits in this regard to the applicant and upto such date.

9. This Original Application is accordingly disposed of in the above terms without any order as to costs.

(R. Vijaykumar)
Member (A)

ma.

JD
3/12/19

