



**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No. 602/2020
with
M.A. No. 540/2020
M.A. No. 266/2020**

This the 28th day of February, 2020

Hon'ble Mr. R.N. Singh, Member (J)

Ex. WO No. 8369016M
Dilwar Singh Yadav, aged 70
Group 'C', Warrant Officer
R/o Flat-111, Sec. 12, Pkt.-5,
Dwarka Kunj Apartments,
Dwarka, New Delhi-78.

...Applicant

VERSUS

1. Union of India,
Through Additional Director General, Aps.
(QMG Branch) AHQ,
Ministry of Defence,
PIN-908700,
C/o 56 APO.
2. Accountant Officer,
APS Accounts Section,
O/o Director of Accounts (Postal),
Nagpur-440001.

...Respondents

(By Advocate: Sh. Manish Kumar)

ORDER (Oral)

Hon'ble Mr. R.N. Singh, Member (J):

Heard the applicant in person and Sh. Manish Kumar, learned counsel for the respondents.

MA No. 540/2020

The present MA has been filed by the applicant, who appears in person for restoration of MA No. 266/2020. The applicant submits that he has inadvertently noted some other date about listing of the MA. Accordingly, he could not appear resulting in the dismissal of the MA.

Issue notice.

Sh. Manish Kumar, learned counsel accepts notice on behalf of the respondents.

Keeping in view the facts noted in the MA and also no objection from the learned counsel for the respondents, MA No. 540/2020 stands allowed. MA No. 266/2020 is restored to its original position.

MA No. 266/2020

The present MA has been filed by the applicant seeking condonation of delay of 5 months and 15 days in removing objection raised by the Registry of this Tribunal in the OA. The applicant submits that he has submitted the case file on 25.07.2019 in person under diary No. 5645. However, he has not received any information from this Tribunal regarding any objection on its website or by any other means and he has been



under impression that whenever the matter will be listed, the same may be shown on the website of the Tribunal or he may get some information and then, he would appear in the matter. However, on 09.01.2020, he got a telephonic call from the office of the Tribunal about his case file lying under objection, he immediately attended the office of this Tribunal and removed objections raised there in the OA. Thereafter, he was again not aware of the date on which the OA is fixed for hearing. Accordingly, he could not appear in the MA.

Issue notice.

Sh. Manish Kumar, learned counsel accepts notice on behalf of the respondents.

Keeping in view the facts noted there in the MA and also the facts that the applicant appears in person, he is a retired person and there is no objection from the learned counsel for the respondents. MA No. 266/2020 stands allowed.

OA No. 602/2020

It is contended by the applicant that respondents have not granted and released the payment of ad-hoc pension to the applicant for the period 1990 to 15.09.1995. He further submits that for such bonus, he was eligible and entitled and similarly placed persons



have been granted the same. However, he has not been granted the bonus for the said period. The applicant, who appears in person, further submits that he has raised the issue before the respondents on different occasions and in this regard, he invites my attention to the letter dated 29.06.2018 of Respondent No. 1 (Annexure A-3) vide which the claim of the applicant is stated to have been forwarded to Respondent No. 2. He further submits that till date, no final decision has been taken by the respondents in the matter. He further invites my attention to the legal notice dated 06.02.2019 (Annexure A-4) issued through his learned advocate to Respondent No. 2 and he submits that the same has not been responded to by the respondents till date.

Issue notice.

Sh. Manish Kumar, learned counsel accepts notice on behalf of the respondents.

In the aforesaid facts and circumstances of the case, I am of the considered view that the present OA can be disposed of with direction to the respondents to take a final call on 29.06.2018 (Annexure A-3) and also keeping in view the legal notice issued on behalf of the applicant on 06.02.2019 (Annexure A-2) and to communicate their



decision by passing a reasoned and speaking order in a time bound manner.

In view of the aforesaid, the present OA is disposed of with direction to the respondents to consider the claim of the applicant, keeping in view the letter dated 29.06.2018 (Annexure A-3) and the legal notice dated 06.02.2019 (Annexure A-4) and to dispose of the same as expeditiously as possible and in any case within 8 weeks of receipt of a certified copy of this order. No order as to costs.

(R.N. Singh)
Member (J)

/akshaya/