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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No. 741/2001

New Delhi, this the 30th day of the March, 2001

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

P.P. Garg,
S/o Late Shri Goverdhan Das
R/o SB-82, Shastri Nagar,
Ghaziabad (U.P.)
Ex-Project Officer,
Structural Engineering, Research Centre,
Ghaziabad.

... Applicant
(By Advocates: Shri S.S. Arya)

V E R S U S

1. Union of India,
Through

(i) The Director General & Secretary,
Department of Science and Technology,
Council of Scientific and Industrial
Research,
Govt. of India, Ministry of Human Resources
Development, Anusandhan Bhawan, Rafi Marg,
New Delhi-1.

(ii) Director,
Structural Engineering Research Centre,
Central Govt. Enclave,
Sector-19, Kamla Nehru Nagar,
Ghaziabad (U.P.)

... Respondents

ORDER (ORAL)

By Mr. S.A.T. Rizvi, Hon'ble Member (A) :

Heard the learned counsel.

2. It is a case in which the retiral benefits due to the applicant have been withheld partially without any reason. The applicant retired on 31.3.1999. Thereafter a payment of Rs.6,67,219/- by way of retiral benefit was made to him on 5.2.2000 against the total amount due of Rs.9,42,299/-. Thus according to the applicant a sum of Rs.2,75,080/- has been withheld without any reason. Besides the payment have been badly delayed.

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3. The applicant has filed a representation before the respondents which have resulted in a letter from Respondent No.1 to Respondent No.2 issued on 12/19.2.2001 by which the Respondent No.2 has been asked to pay the retiral benefits to the applicant within one month of the receipt of the aforesaid letter. That period of one month is nearly over. Accordingly, it is hoped that the Respondent No.2 would be making the payment of the remaining amount to the applicant without further delay.

4. In the aforesaid circumstances, I find that it would be in the interest of justice to dispose of this OA with a direction to the respondents to pay the remaining retiral benefits to the applicant within a maximum period of one month from the date of service of this order. I direct accordingly. In the event of respondents' order, if any, being adverse to the applicant, the respondents will spell out reasons alongwith Rules and regulations in support of their order. The applicant will have the liberty to approach the Tribunal again if so advised and in accordance with law, in the event of respondents order being adverse to him. Respondents are further directed to make payments of interest at the rate of 12% in respect of all the payments delayed beyond the period prescribed. They are also directed to consider granting to the applicant all the other reliefs claimed by him in the present OA in accordance with the relevant Rules and orders and

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(3)

having regard to the decision of the Hon'ble Supreme Court in the case of State of Kerala and others Vs. M. Padmanabhan Nair decided on 17.12.1984 and reported as 1985 (1) SSC 429, which was placed before me by the learned counsel.

5. The OA is disposed of in the aforesated terms at the admission stage itself. No costs.

S.A.T.Rizvi

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

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