

-5-

Central Administrative Tribunal
Principal Bench

O.A.No.1200/98

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 18th day of September, 1998

Shri L.R.Dahiya
s/o late Shri Sher Singh
r/o Q.No.38 (M/S) Timar Pur
Delhi - 110 054. ... Applicant

(By Shri S.K.Gupta, Advocate)

Vs.

1. Union of India through
Secretary
Ministry of Defence
South Block
New Delhi.

2. Director General
Directorate General of N.C.C.
West Block - IV
R.K.Puram
New Delhi.

3. Deputy Director General (Delhi)
N.C.C.Directorate, Delhi
Old Secretariate Building
Delhi - 110 054. ... Respondents

(By Shri Gajender Giri, Advocate)

O R D E R (Oral)

The applicant who retired on 31.10.1997 from the post of Office Superintendent Grade-II is aggrieved that the respondents did not fix his retirement pay on the basis of the Fifth Pay Commission recommendations and he has not been given his pension and pensionary benefits accordingly. The respondents in their reply have stated that the applicant had filed his pension papers only on 5.6.1998, and hence the delay caused in finalizing his case of revised pay and release of retiral benefits.

2. I have heard the counsel. The learned counsel for the respondents states that the pay of the applicant has been revised on the basis of the orders

Dr

-2-

6-

pertaining to the Fifth Pay Commission and the revised pension and other pensionary benefits of the applicant is also been accordingly determined.

3. This position is admitted by the learned counsel for the applicant. However, he submits that while fixing the revised pay of the applicant, the respondents have not taken into account the special pay he was receiving at the time of his retirement. The learned counsel for the respondents however submits that this issue is the subject matter of another OA No.1174/98. Since the respondents have already granted the relief in regard to the fixation of pay and determination of the revised pensionary benefits, no further issue remains to be determined in this OA.

4. It has been pointed out by the learned counsel for the applicant that arrears of pension and other retiral benefits however are yet to be paid. Accordingly, this OA is disposed of with a direction that the respondents will pay the arrears of pension and other retiral benefits within a period of three months from the date of receipt of a copy of this order. As regard the issue of special pay, the matter can be agitated separately, if so advised, after the requisite representation is filed by the applicant before the respondents.

5. The learned counsel for the applicant also pressed the claim for interest on payment of arrears. I have already taken note of the fact that the the pension

Jn

papers were submitted by the applicant only on 5.6.1998.

The claim for interest on payment of arrears is therefore rejected.

R.K.Ahooja
(R.K.Ahooja)
Member(A)

/rao/