

Central Administrative Tribunal  
Principal Bench

O.A. No.1063 of 1995

New Delhi, dated this the 16th November, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)  
Hon'ble Mrs. Lakshmi Swaminathan, Member (J)

Shri O.P. Chadha,  
R/o House No. 20, Samrat Enclave,  
Delhi-110034. ... Applicant

(None appeared)

Versus.

1. Union of India through  
the Secretary,  
Ministry of Law, Justice & Company Affairs,  
4th Floor, Shastri Bhawan,  
New Delhi-110001.
2. The Secretary,  
Dept. of Company Affairs,  
5th Floor, A Wing, Shastri Bhawan,  
New Delhi.
3. The Addl. Secretary,  
Dept. of Pension & Pensioners Welfare,  
New Delhi. .... Respondents

(None appeared)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant seeks a direction to recompute the pension and pensionary benefits taking account the Special Pay paid to him during the last 10 months from the date of retirement i.e. 30.11.88 with arrears and 15% interest thereon.

2. None appeared for parties even on the second call when the case was called out. This is an old case of 1995 and was listed at Sl. No.9 of the regular hearing list today. Moreover there is a superscription on the top of the list that cases of 1996 and above



would not be adjourned. Therefore, we are disposing this case after perusing the materials on record.

3. Respondents have pointed that according to Government of India decision No.1 below Rule 33 CCS (Pension) Rules, the term "emoluments" for purpose of calculating various retirement and death benefits shall mean basic pay as defined in FR 9(21)(a)(i). FR 9(21)(9)(i) refers to pay other than Special Pay. Hence we see no infirmity in the view taken by Respondents that Special Pay is not admissible for computation of pension and pensionary benefits to applicant.

4. The O.A. warrants no interference, the same is dismissed. No costs.

(Mrs. Lakshmi Swaminathan)  
Member (J)

(S.R. Adige)  
Vice Chairman (A)

/GK/