

Central Administrative Tribunal
Principal Bench

O.A. No.1707 of 1996

New Delhi, dated this the 4th May, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MR. KULDIP SINGH, MEMBER (J)

Dr. A.K. Bhatnagar,
S/o Shri G.K. Bhatnagar,
R/o G-16, Kauz Khas,
New Delhi-110016.

.. Applicant

(By Advocate: Shri Rajeev Bansal proxy
counsel for Shri B.K. Aggarwal)

Versus

Union of India through
the Director General, Health Services,
Nirman Bhawan,
New Delhi.
(None appeared)

.. Respondent

ORDER (Oral)

HON'BLE MR. S.R. ADIGE, VC(A)

Applicant seeks a direction to respondents to count his past service in Jawahar Lal Nehru Institute for Physical Medicine and Rehabilitation from 21.9.68 to 17.11.69 for the purposes of retiral benefits.

2. We have heard Shri Rajeev Bansal proxy counsel for Shri B.K. Aggarwal for applicant. None appeared for respondents.

3. Shri Bansal has invited our attention to respondents' reply to Para 4.3 and 4.4 of the O.A., in which it has been stated that the Office Memorandum dated 3.12.77 issued by Finance Ministry provide for counting of service rendered in the Central Government autonomous body prior to taking

such body by the Government subject to the condition that the gratuity/employer's contribution received in respect of the service rendered in the Jawahar Lal Nehru Institute for Physical Medicine and Rehabilitation will be refunded to the Government with the simple interest @ 6% per annum from the date of receipt to the date of refund.

4. In this connection Shri Bansal invites our attention to the letter dated 3/9.4.97 issued by the Institute for the Physically Handicapped addressed to applicant (which ~~states~~^{is} is the new name for Jawahar Lal Nehru Institute for Physical Medicine and Rehabilitation,) in which it has been stated that during the tenure of applicant's service in that Institute no Contributory Provident Fund was deducted and, no gratuity was paid to him.

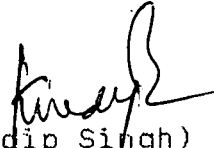
5. In the light of the aforesaid letter Shri Bansal states that the question of refunding the C.P.F./gratuity does not arise.


6. In the light of the contents of the aforesaid letter dated 3/9.4.97 Respondents should consider ^{on the claim for} counting the aforesaid period of service from 21.9.68 to 17.11.69 rendered by applicant in the Institute for the Physically Handicapped (previously known as Jawahar Lal Nehru Institute for Physical Medicine and Rehabilitation) for purposes of retiral

benefits and pass^a detailed and reasoned order, under
intimation to applicant within three months from the
date of receipt of a copy of this order.

7. The O.A. stands disposed of accordingly.

No costs.


(Kuldip Singh)
Member (J)


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

/GK/