

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1732/1996

New Delhi, this 24th day of February, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Shri S.P. Biswas, Member(A)

Shri Amal Kanti Kanjilal
Flat No.17, Block No.16, *Cranguly Bagan Govt. Quarters*
Calcutta-700 047 .. Applicant
(None present)

versus

Union of India, through

1. Secretary
Department of Expenditure
Ministry of Finance, New Delhi
2. Secretary
Department of Pension & Pensioners Welfare
Lok Nayak Bhavan, New Delhi .. Respondents
(None present)

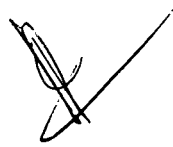
ORDER(oral)

Dr. Jose P. Verghese

This is a case relating to pension of the applicant, who is a retired employee and stated to be ordinarily residing at Calcutta. He has sent this application by post. On 2.9.96, the matter was admitted and thereafter notices were issued to the respondents. Service is shown to be complete but no reply has been filed.

2. Notices have been issued on 2.9.96 and additional opportunities were given to the respondents on 18.10.96, 4.12.96 and again on 9.1.97. Thereafter, the matter came up before the Joint Registrar on 17.2.97, who has passed the following order:

"Sufficient time has been granted to the respondents for filing counter, however, counter has still not been filed. Today as well as on the previous four dates of hearing, neither applicant nor respondents have appeared with the result Joint Registrar is unable to pass any effective order. List before court for appropriate orders on 24.2.97."



3. Since nobody on behalf of the respondents has entered any appearance, we would like to consider the reliefs prayed for by the applicant at this stage in the absence of any reply or appearance on behalf of the respondents. The reliefs sought for are as under:

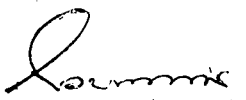
(a) To grant additional gratuity on the basis of DA an individual pensioner was getting at the time of his retirement before 1.4.95 subject to a maximum of 97% and

(b) to pay arrears on account of gratuity to all central Govt. pensioners who have retired before 1.4.95.

4. In view of the above, we hereby direct the respondents to consider the case of applicant granting him the relief (a) above. They shall comply with this order within three months from the date of receipt of a certified copy of this order and communicate their decision to the applicant. The applicant is given liberty to agitate the matter thereafter in accordance with law after receipt of the decision of the Central Government.

5. In so far as relief (b) is concerned, the same is not within our jurisdiction and therefore disallowed.

6. With the above direction, this OA is disposed of. No order as to costs.


(S.P. Biswas)
Member(A)


(Dr. Jose P. Verghese)
Vice-Chairman(J)

/gtv/