

Central Administrative Tribunal  
Principal Bench

O.A.No.1844/96

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

New Delhi, this the 29th day of September, 1997

Bakshi  
s/o Sh. Thawaria  
Retd. Head Mali  
Deputy Director North Division  
C.P.W.D.,  
New Delhi.

... Applicant

(By Shri R.L.Sethi, proxy of Shri A.Kalia, Advocate)

Vs.

Union of India through

1. The Director North Division  
C.P.W.D.,  
New Delhi.
2. Pay & Accounts Officer  
C.P.W.D.  
New Delhi Zone  
I.P.Bhavan  
New Delhi - 110 002.
3. Pay and Accounts Officer  
Govt. of Delhi  
Treasury Building  
R.K.Puram  
New Delhi.

... Respondents

(By Shri S.Mohd. Arif, Advocate)

O R D E R (Oral)

The applicant who superannuated from the post of Head Mali w.e.f.31.7.1989, is aggrieved that he has not received all the pensionary benefits even though seven years have passed. In particular, he alleges non-payment of Commutation of Pension authorised vide order dated 1.8.1989 General Provident Fund, Leave Encashment, CGSH Contribution, CDS, etc. The respondents in reply have stated that pension is being paid to the applicant through State Bank of India, Seemapuri and DCRG payment was also made to him vide Cheque dated 28.8.1989. As regards commuted value of pension, respondents say that the authority of pension is directly issued to the Bank and the payment was to be made by the Bank directly. In case the applicant had any difficulty he

- 2 -

✓

should have approached the respondents, which he failed to do. It is further submitted by respondents that they also finalised the payment of GPF which already stands paid vide Cheque dated 17.7.1990. They further submit that since no leave was credited to the applicant's leave account, there was no question of any leave encashment. They also state that the refund of CDS will be made by Respondent No.2 as it was part of the consolidated claim. In the rejoinder filed by the applicant, it has been stated that neither the DCRG, nor Commutation of Pension, nor GPF has been paid to the applicant. Today when the matter came up for hearing, the learned proxy counsel for the applicant submits that even if the payments were released by the respondents, the same have not been received by the applicant. The learned counsel for the respondents submits that the Cheques were issued in one case for balance of Gratuity, but the same has been returned because the address given by the applicant is found to be incorrect.

2. Having heard the counsel on both sides, I am of the opinion that there is a communication gap regarding the address to which the dues of the applicant are to be sent. This has resulted in non-payment of the dues. The learned counsel for the applicant states that the applicant has now intimated to the respondents that all the dues should be deposited with State Bank of India, New Seemapuri. While the respondents take note of this, they say that there may be some difficulty since the Cheques already sent by them so far have not come back. Therefore, this OA is disposed of with a direction that the applicant will meet Deputy Director, North Division, CPWD, I.P. Bhawan, New Delhi on any working day within 15 days from the date of receipt of a copy of this order and the latter will arrange <sup>Q</sup> regarding the ~~payment~~ to sort out <sup>S</sup> ~~where~~ the payments ~~are~~ now due to the applicant. A

02

letter will also be issued <sup>to the applicant</sup> explaining the <sup>final</sup> position. The applicant will be at liberty to approach this Tribunal in case there is any further grievance, in accordance with law.

The OA is disposed of as above. No costs.

  
(R.K. AHOOJA)  
MEMBER(A)

/rao/