

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

HON. SHRI R.K. AHOOJA, MEMBER (A)

NEW DELHI, THIS 5TH DAY OF SEPTEMBER 1997

OA NO.1849/96

1. C.R. Srinivasan
R/o 12A/25 1st Floor, WEA Karol bagh ...APPLICANT
New Delhi

(By Advocate - None)

VERSUS

1. UNION OF INDIA, through
The Secretary
Ministry of Defence (DCC IV,II)
New Delhi
2. The Commandant Ordnance Depot
Shakur Basti
New Delhi
3. The Controller Gen. of Def. Accts.
(Pension) West Block
R.K. Puram, New Delhi
4. The Chief controller on Def. Accts.
Pension Allahabad
U.P.

RESPONDENTS

(By Advocate - Shri S.M. Arif)

ORDER (ORAL)

The applicant who was absorbed in Bhilai Steel Plant of Hindustan Steel Limited w.e.f. 31.3.1960 had earlier been working as LDC on the civilian side of the Army Ordnance Corps, Ministry of Defence, from 24.5.1943. He superannuated from Bhilai Steel Plant on 30.11.1980. He thereafter sought the inclusion of the 17 years service rendered by him under Ministry of Defence towards computation of his pension. He submits that certain persons including S/s. K.S. Ramamurthy, R.L. Narasimhan, S.R. Sarkar and Narain Dass Grover who were also permanently absorbed in Bhilai Steel Plant and were

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identically placed as him filed a writ petition No.221/1989 in the High Court of Madhya Pradesh praying for a direction to UOI to implement the decision contained in their OM dated 10.11.1960 which gave the benefit of service rendered prior to transfer to be taken into account for the purpose of retiral benefits. After the Madhya Pradesh High Court allowed the Writ Petition, an SLP was filed which was dismissed by the Hon'ble Supreme Court in Civil Appeal No.1483/1976 by order dated 7.8.1987. The applicant also approached the Supreme Court by way of a writ petition after his representations were rejected and vide order dated 23.10.1989, a similar direction was given in favour of the applicant. The applicant is aggrieved that the respondents have not so far calculated the pro rata pension due to him on the basis of his service with the Defence Ministry.

2. None had appeared for the applicant on the last two occasions. Today also, none appeared for the applicant though the case was called twice. Shri Arif, ld. counsel for the respondents, has produced a copy of order dated 20th March 1997 issued by the Commandant, Ordnance Depot, Shakur Basti, addressed to the Manager, Bank of Baroda, authorising the payment of pro rata pension/gratuity/ commutation of pension and the same to be done before 7th April 1997. The ld. counsel submits that by this authority letter, the relief sought for by the applicant has already been granted by the respondents. He also points out that a copy of this letter has also been endorsed to the applicant. Copy of the said letter has been taken on record.

On

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12

OA No.1849/96

3. Since the applicant has not been appearing for some time, it is presumed that he is not interested as he is satisfied by the order of the respondent. The O.A. is accordingly dismissed as infructuous. No order as to costs.

R.K. Ahooja
(R.K. AHOOGA)
MEMBER (A)

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