

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 1309 of 1997

New Delhi, dated this the 3rd ^{September} ~~August~~, 1998

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

Shri Bal Krishan Dhingra,
S/o late Shri D.D. Dhingra,
R/o 4/143, Subhash Nagar,
New Delhi-110027.

..... APPLICANT

(None appeared)

Versus

1. Union of India through
the Secretary,
Ministry of Defence,
South Block, New Delhi.
2. Engineer-in-Chief,
E-in-C's Branch, Kashmir House,
New Delhi-110011.
3. Chief Engineer,
Western Command,
Chandimandir, Chandigarh.
4. Chief Engineer (AF),
Western Command, Jalandhar Cantt.
5. Chief Controller of Defence
Accounts (Pension),
Allahabad, U.P. RESPONDENTS

(By Advocate: Mrs. Meera Chhibber)

ORDER (Oral)

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

Applicant seeks release of his retiral
benefits including pension, gratuity, commutation,
leave encashment and final GPF payment with
interest @ 18% p.a. thereon.

2. None appeared for applicant even on the second call, although applicant's counsel Shri A.K. Trivedi had appered on the last date. Mrs. Meera Chhibber for respondents appeared and has been heard.

(18)

3. Mrs. Chhibber has invited my attention to the telegram ^{dated 1.9.98} received by her which has been taken on record, in which respondents have stated that pension, gratuity and commuted pension have already been paid to applicant on June 20, 1997; final payment of GPF dues has also been made on 26.9.97. In this connection, the telegram also states that the payment of CGEIS has been made vide State Bank of India Draft, No. 949393 dated 11.10.95. It is admitted that leave encashment has not been paid to applicant as yet and it is stated that efforts are being made to pay the same expeditiously.

4. In so far the claim for interest is concerned although applicant is stated to have ~~been~~ retired on superannuation on 31.12.93, respondents state that he submitted his pension papers complete in all respects on 14.4.97 after regularisation of his absence period. Although this averment is denied by applicant in his rejoinder, it is clear that applicant submitted his pension papers complete in all respects after regularisation of his absence period on 14.4.97 vide his letter of even date at Ann. R-11 of respondents' reply.

5. In the light of the aforesaid I am not satisfied that there are sufficient grounds to warrant a direction to respondents to pay interest to the applicant on his retiral benefits.

(9)

6. This O.A. is disposed of with a direction to respondents to ensure release of applicant's leave encashment due within one month from the date of receipt of a copy of this order. No costs.

Adige
(S.R. ADIGE)
VICE CHAIRMAN (A)

/GK/