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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

CP No.237 of 1999
in
OA.No.2668 of 1996

New Delhi, this 21st day of March, 2000

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Smt. Shanta Shastray, Member(A)

Lakhi Ram Rathore
House No.5 Sector-15
Sonepat, HaryanaPetitioner

(By Shri S.R. Sharma, Advocate - not present)
(Shri M.L. Ohri, proxy is present)

versus

1. Narendra Prasad
Secretary Education Deptt.
Delhi Administration
2. S.C. Poddar
Director of Education
Delhi Administration
Delhi.
3. T.A. Gosain
Dy. Controller of Accounts
Director of Education
Delhi Administration, Delhi
4. Smt. Tuleshwari Tyagi
Deputy Director of Education
Delhi Administration
Delhi. Respondents

(By Shri Vijay Pandita, Advocate - not present)
(Shri S.C. Saxena, proxy is present)
(Shri Amar Singh, Administrative Officer,
Departmental representative is also present)

ORDER(oral)

By Reddy, J.

The petitioner is present, but his
counsel is absent. Shri M.L. Ohri appears as
proxy counsel for the petitioner and Shri S.C.
Saxena appears as proxy counsel for the
respondents, requesting for adjournment of the
case on the ground that advocates are abstaining
from the courts. The petitioner is present in
person and is heard. On the side of the
respondents Shri Amar Singh, Administrative

DAW

Officer, Directorate of Education appears as departmental representative.

2. In the order of the Tribunal dated 13.1.1998 it has been directed that respondent nos.1 to 4 to ensure that the pension and other retirement benefits should be computed and paid to the petitioner within a period of three months with interest ~~at~~ 12% per annum with effect from 1.3.1989. Regarding the claim of the petitioner for pensionary benefits for his service in the Government of Haryana, the petitioner was directed to pursue his own remedies with his legal rights. The petitioner however contends that the respondents have not complied with the order of the Tribunal.

3. In the counter affidavit it has been stated that the order has been complied with inasmuch as all the benefits are paid to the petitioner for the service he has rendered under the Delhi government and interest also has been paid as directed.

4. The petitioner however submits that he is entitled for an amount of about rupees six lakhs but the respondents have paid only an amount of rupees three lakhs. The departmental representative refutes the contention of the petitioner and submits that all the amounts that

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3.

have been directed to be paid in the order by the Tribunal, have been paid to petitioner and that the petitioner is not entitled for pensionary benefits for the service rendered in the Haryana Government.

5. As stated supra regarding petitioner's service in the Haryana Government, his rights are left open and he was entitled to pursue his remedies. The respondents are not directed by the Tribunal to pay the pensionary benefits for the service rendered by the petitioner in the Haryana Government. We are of the view that the respondents have complied with the directions of the Tribunal. The CP is, therefore, closed. Notices issued to the respondents are discharged.

Shanta Shastry
(Smt. Shanta Shastry)
M(A)
dbc.

Rajagopala Reddy
(V. Rajagopala Reddy)
VC(J)