

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1806/2000

Friday, this the 9th day of February, 2001

HON'BLE SHRI S.A.T. RIZVI, MEMBER (A)

B.P.Saxena, S/O Reoti Ram Saxena  
R/O Flat No.21, Sector-3,  
Pocket B-19, Sabji Market,  
Near Mother Diary, Rohini,  
Delhi.

..Applicant.

(By Advocate: None)

VERSUS

1. Union of India,  
through its Secretary,  
Ministry of Communication,  
Deptt. of Telecommunication,  
Sanchar Bhawan,  
New Delhi.
2. The Chief General Manager,  
Telecom, Deptt. of Telecommunications,  
Jaipur (Rajasthan)
3. Telecomm District Manager,  
Deptt. of Telecommunication,  
Bharatpur, (Rajasthan)
4. Chief Accounts Officer,  
O/O Telecomm District Manager,  
Deptt. of Telecommunications,  
Bharatpur (Rajasthan)
5. Accounts Officer,  
O/O General Manager Telecom,  
Rajasthan Division,  
Jaipur (Rajasthan)

..Respondents

(By Advocate: Shri R.P.Agarwal)

O R D E R (ORAL)

None has appeared on behalf of the applicant. I  
have heard the learned counsel for the respondents.

2. The learned counsel for the respondents has  
submitted that the applicant's dues on account of  
commutation of pension, gratuity and insurance have  
already been paid respectively on 6.4.2000, 6.4.2000 and  
21.5.99. His pension has also been finally fixed and has

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been paid upto October, 2000 and thereafter. These payments have been made without taking into account the recommendations of the 5th Central Pay Commission and Govt. of India's decisions thereon. According to him, payments respective<sup>ng</sup> pension, commutation thereof and gratuity are accordingly required to be recalculated/revised. Thus, the respondents are considering the grant of the various reliefs claimed by the applicant, which are as follows, in the light of the need to affect the requisite revisions.

- "(a) direct the respondents to immediately release all the retiral benefits/dues (P.F., Gratuity, leave encashment etc.) of the applicant; after giving him promotion which was due in the year 1990;
- (b) direct the respondents to pay the pension to the applicant as per the revised pay scale in accordance with the 5th Pay Commission after fixing the same in the pay scale of Rs.1350/- along with arrears;
- (c) direct the respondents to pay interest @ 18% per annum on the delayed payment of all his dues;"

3. For finalising the matter, the respondents need time. The learned counsel seeks a period of six months to enable the respondents to complete the formalities and make payments due to the applicant in accordance with the above-mentioned reliefs. I find that the applicant retired now more than 5 years ago and therefore, his case for retiral dues should be considered as expeditiously as possible. Thus a period of three months would be enough for the purpose and the respondents should make all the payments due to the applicant within a period of three months from the date of receipt of a copy of this order.

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(3)

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The respondents will also pay interest on all the dues at the rate of 18% p.a. as claimed by the applicant, excepting the gratuity on which the interest will be levied at the rate of 12% p.a. which according to the learned counsel is the rate prescribed by the Govt.

4. If the respondents have disposed of the matter finally, i.e., after the payments have been made, the applicant will be at liberty to approach this Tribunal again, if he finds that the respondents have not paid entire amount due to him in accordance with the rules and regulations.

5. Present OA is disposed of in the aforestated terms. No costs.



(S.A.T. Rizvi)  
Member (A)

/sunil/