

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A.No.986/2000

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)

New Delhi, this the 7th day of December, 2000

Shri Kashmiri Lal Katayal  
s/o Shri Devi Dayal Katayal  
r/o 12 Baldev Park  
Parwana Road,  
Delhi - 110 051.

... Applicant

(By Shri V.K.Malhotra, Advocate)

Vs.

1. The Lt. Governor  
16, Raj Niwas  
Rajpur Road  
Delhi.

2. The Director of Education  
Old Secretariat  
Delhi Administration  
N.C.T. Delhi.

3. Additional Commissioner (Education)  
Director of Education  
Old Hindu College Building  
Kashmiri Gate  
Delhi - 110 006.

.. Respondents

(By Shri Harvir Singh, through Mrs. P.K.Gupta,  
Advocate)

O R D E R (Oral)

The applicant, who was working as Teacher with Respondents No.1 and 2, retired on 31.3.1999. His grievance is that his pensionary benefits have not been released so far.

2. It is stated that the applicant was working as a Teacher with the Municipal Corporation of Delhi till 1979 and thereafter he was transferred to the Directorate of Education, Respondent No.2 and since then he was working with Respondent No.2 and thereafter he retired on 31.3.1999.

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3. The case of the applicant is that though service records have been received from MCD to Respondent No.2 prior to 31.12.1979, his pensionary benefits have not yet been paid to him.

4. It is however the case of the respondents that the service records from MCD have not yet been received in spite of several reminders given to MCD. In view of the above position, the applicant's pensionary benefits could not be calculated and paid. However, other benefits like Leave Encashment, FD 80%, GPF, CGEGIS have been released to the applicant. It is also stated that as soon as the service records of the applicant are received, his pensionary benefits would be paid.

5. It is curious that though the applicant has been transferred from 1979, his service records were not transferred so far. The statement of the respondents that the service records have not yet been received by them cannot be easily acceptable as more than 20 years had lapsed from the date the applicant was transferred. It is the duty of the second respondent to have taken all steps to secure the service records of the applicant and keep them upto date and once he is retired, he shall be paid all his previous dues, as per law.

6. In view of the foregoing, Respondents No.1 and 2 shall release all the pensionary benefits to the applicant with interest at the the rate of 18% per annum from the due date till the date of the actual payment, within a period of thirty days from the date

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of receipt of a copy of this order. With these directions, the OA is disposed of with costs of Rs.1000/- against Second Respondent.

*V. Rajagopala Reddy*  
(V. RAJAGOPALA REDDY)  
VICE CHAIRMAN(J)

/RAO/