

(17)

Central Administrative Tribunal
Principal Bench

CP No. 150/2002
OA No. 2130/2000

New Delhi, this the 16th day of July, 2002

Hon'ble Shri M.P.Singh, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

1. Shri Radhey Lal
S/o Late Shri Male Ram
R/o B-196, Addl. Township
B.T.P.S. Badarpur
New Delhi - 110044.
2. Shri K.Satish Pal
S/o Late Shri C.S.Thakur
R/o K-20 F, Sheikh Sarai, Phase-II
New Delhi - 110017.
3. Shri Lal Chand
S/o Late Shri Balak Ram
R/o Village - Alapur
P.O. - Bharola, Teh- Palwal
District - Faridabad.
Haryana

..... Applicants
(Shri S.M.Rattanpaul, Advocate)

Versus

1. Shri Suresh Chandra
Chairman
Central Water Commission
Sewa Bhawan, R.K.Puram
New Delhi.

..... Respondent
(Shri D.S. Mahendru, Advocate
with Shri H.S.Chaudhry,
Under Secretary, Departmental representative)

ORDER (Oral)

By Shri Shanker Raju, Member (J)

Heard the parties.

2. In pursuance of the directions of this court dated 18.4.2002 wherein respondents have been directed to release pension and pensionary benefits to the applicant alongwith interest within a period of three months, Respondents vide their letter dated 18.6.2002 inserted a condition that the payment of pensionary benefit w.e.f. 1.4.1985 and interest thereon would be subject to the decision of Hon'ble Supreme

Court on the SLP which the department is contemplating to file. This has been resisted by the learned counsel for the applicants and stated that in another similar case, this Tribunal passed an order dated 17.3.2000 in CP 696/2001 in (K.C.Rastogi vs. Union of India) which is as follows:-


"As so far the SLP has not been filed and only contemplated, the respondents are not entitled to take such an undertaking and directed the respondents to release the payment forthwith without insisting upon the undertaking".

3. Today Shri Mahendru furnished to us three letters written by CPA Office on 27.6.2002 wherein Manager, State Bank of India, Tis Hazari has been authorised to release the pension and pensionary benefits and other arrears including the interest.

4. To this Shri Rattanpaul states that since delay has already occurred in this case a direction may be given to the respondents to release these payments to the applicant at the earliest.

5. In this view of the matter, finding no wilful disobedience the respondents are directed to ensure release of payments to the applicant within a period of one month from today. CP is, therefore, dismissed. Notices are discharged. No costs.

S. Raju
(Shanker Raju)
Member (J)


(M.P. Singh)
Member (A)

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