

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

O.A. No. 105/89  
T.A. No.

199

DATE OF DECISION 5.3.1991.

Smt. Manjeet Kaur Sahni

Petitioner Applicant

Shri Narash K. Thansi

Advocate for the Petitioner(s) Applicant

Deputy Director of Education &  
Another

Respondent

Ms. Kum Kum Jain

Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. P.K. Kartha, Vice-Chairman (Judl.)

The Hon'ble Mr. D.K. Chakravorty, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? Yes
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. Whether it needs to be circulated to other Benches of the Tribunal?

(Judgement of the Bench delivered by Hon'ble  
Mr. P.K. Kartha, Vice-Chairman)

The grievance of the applicant, who has worked as Senior Drawing Teacher in the Government Senior Secondary School, Gandhinagar, New Delhi, related to non-payment of her pension and other retirement benefits consequent upon her voluntary retirement with effect from 31.12.1986. She has also claimed for grant of Selection Grade and for award of interest at the rate of 18% per annum on the outstanding amounts.

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2. The admitted factual position is that the applicant has worked as Drawing Teacher from 5.8.1964 to 27.10.1966 and thereafter, as Senior Drawing Teacher till she was allowed to voluntarily retire from service with effect from 31.12.1986. No disciplinary case or criminal case was or is pending against her. The delay for non-payment of proportionate pension, gratuity and other retirement benefits is unjustified and is to be deprecated in the strongest terms. The non-payment of pension and other retirement benefits to her is stated to be due to some Audit objections which have remained unsettled. We are not impressed by this contention raised by the respondents.

3. On 30.3.1988, the respondents granted Selection Grade to some Teachers. The respondents asked all eligible persons to file their claims on or before 22.9.1988. Pursuant to this, the applicant also filed her claim. Though the respondents have granted Selection Grade to the Senior Drawing Teacher who was appointed on 18.12.1968, the applicant has not been given Selection Grade although she had been appointed as Senior Drawing Teacher with effect from 27.10.1966. The plea of the respondents is that the applicant is not entitled to Selection Grade as she had sought voluntary retirement on 31.12.1986.

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4. The applicant has produced a copy of a letter issued by the respondents from which it appears that they have granted Selection Grade to the Senior Drawing Teacher (Female) whose date of appointment is 18.12.1968. As the applicant was appointed as Senior Drawing Teacher with effect from 27.10.1966, we are of the opinion that she would be entitled for the benefit of Selection Grade and her pension and other retirement benefits should be computed on that basis.

5. In the light of the foregoing, we allow the application and dispose it of with the following orders and directions:-

(i) We deplore the culpable delay in the settlement of pension and gratuity claims due to the applicant, who voluntarily retired on 31.12.1986. We direct that her proportionate pension, gratuity and other retirement benefits shall be released to her without any further formalities and ignoring the Audit objections, if any, which was long / overdue.

(ii) While computing the pension, gratuity and other retirement benefits of the applicant, the respondents shall reckon the pay of the Selection Grade.

(iii) The respondents shall pay interest at the rate of 12% per annum on the outstanding amounts due to the applicant from 31.3.1987 to the date of actual payment.

(iv) The respondents shall pay token costs of Rs.500/- to the applicant.

*D.K.Chakravorty*  
(D.K. Chakravorty)  
Administrative Member

*Partha*  
5/3/87  
(P.K. Kartha)  
Vice-Chairman(Judl.)