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CENTRAL ADMINISTRATIVE TRIBUNAL:PRINCIPAL BENCH: DELHI

O.A. NO. 815 OF 1988

DATE OF DECISION: 9-8-1991.

Shri R.D.Sharma.

.. Applicant.

v.

Union of India.

.. Respondent.

CORAM:

Hon'ble Mr.G.Sreedharan Nair, .. Vice-Chairman.

Hon'ble Mr.S.Gurusankaran, .. Member (A)

Shri G.D.Gupta, Counsel for the applicant.

Shri P.P.Khurana, Counsel for the respondent.

S.GURUSANKARAN, MEMBER (A):

JUDGMENT

In this application, the applicant who is working as a Stenographer Grade-C in the Ministry of Home Affairs, has prayed for issuing a direction to the respondent to release his pay and allowances w.e.f. 1-1-1988.

2. We observe from the records that even though this application was filed on 4-5-1988, it is not disputed that the applicant has been prematurely retired by the respondent with effect from 7-4-1988. The application was heard along with O.A.No.593 of 1988, in which the same applicant had challenged the validity of the orders retiring him prematurely. We observe that O.A.No.593 of 1988 has been dismissed by us to-day.

3. We have heard both parties and perused the records. Since he has been prematurely retired with effect from 7-4-1988, the cause of action in this application does not survive, since along with his settlement dues, the pay and allowances and other monetary benefits due from 1-1-1988 will also be paid after due adjustments for periods of unauthorised absence, etc. if any.

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4. Hence, we dispose of the application with the direction that they should settle the settlement dues of the applicant expeditiously keeping in view our directions in O.A. No. 1754 of 1987 filed by the same applicant and decided by us to-day.

H. S. S.
H. S. S.
MEMBER (A)

J. S. S.
J. S. S.
5-8-1991
VICE-CHAIRMAN.