

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

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O.A. No. 1053 1987
T.A. No.

DATE OF DECISION 7.8.87

Shri Noor Ahmed Petitioner

Miss R. Ray, Advocate for the Petitioner(s)

Versus

The Commissioner of Sales Tax Respondent
Department and others.

None Advocate for the Respondent(s)

CORAM :

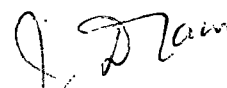
The Hon'ble Mr. Justice J. D. Jain, Vice Chairman

The Hon'ble Mr. Kaushal Kumar, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*



(Kaushal Kumar)
Member



(J.D. Jain)
Vice Chairman

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

REGN. No. 1053/87

Date of Decision: 7.8.87.

S hri Noor Ahmed

.... Applicant

Vs.

The Commissioner of Sales
Tax Department and
others.

.... Respondents

CORAM:- Hon'ble Mr. Justice J.D. Jain, Vice Chairman
Hon'ble Mr. Kaushal Kumar, Member (A)

For the Applicant ... Miss R. Ray, Advocate

For the Respondents ... None.

(Judgement of the Bench delivered by Hon'ble
Mr. Justice J.D. Jain, Vice Chairman)

JUDGEMENT

The applicant was formerly employed as Sales Tax Officer in the Union Territory of Delhi. He was suspended on the ground of mis-conduct but the suspension order was revoked w.e.f. 7.2.79. Thereafter the applicant was compulsorily retired from the service w.e.f. 26.4.84. At that time he was holding the post of Sub Regional Employment Officer. The grievance of the applicant in short is that he has not been paid a single paisa towards pensionary benefits so far despite his repeated representations in this behalf. He has placed on record the copies of two letters addressed to him by the Directorate of Employment, Delhi Administration, Delhi, one is dated 8.8.1985 (Copy Annexure A-2) and the second is dated 3.3.86 (copy Annexure A-4). By both these letters the applicant was informed that

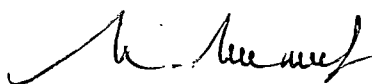
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his pension case was still under process and it had not been possible to finalise the same as certain information was awaited from Sales Tax Department, even though the concerned authority had been reminded to expedite the matter.

2. There is no appearance on behalf of the respondents. They have not filed even the counter to this application. It evidently betrays sheer indifference and carelessness on the part of the respondents towards the claim of the applicant. It is deplorable that fixation of pension and grant of other pensionary benefits should take so long and that too, despite repeated representations. Normally speaking and as ^{the} is present policy of the Government the pension papers should normally be made available on the very date on which Government employee retires or at any rate, within a reasonable time of two or three months thereafter. Unfortunately, the Government has not been able to finalise the pension documents of the applicant despite the fact that three years have elapsed.

3. Under the circumstances, we allow this application ex-parte and direct the respondents to finalise the case relating to the pensionary benefits of the applicant and pay the amount due to him in respect of the same within three months from today. Besides that respondents shall pay interest @ 10% per annum w.e.f. 1.8.84 i.e. after the expiry of three months from the date of retirement till arrears are actually paid. The respondents may be served dasti by the applicant.



(Kaushal Kumar)
Member (A)



(J.D. Jain)
Vice Chairman

Dated:- 7th August, 1987.