

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A.No.1579/91

Date of decision: 28.07.1993.

Shri Bishen Dutta

....

Applicant

versus

Union of India & Ors.

....

Respondents

Coram:-

The Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman

The Hon'ble Mr. B.N. Dhoundiyal, Member(A)

For the applicant : Ms. Kiran Singh, proxy counsel
for Sh. Mahesh Srivastava, counsel

For the respondents : Sh. Ashok Kashyap, counsel

JUDGEMENT (ORAL)

(delivered by Mr. Justice S.K. Dhaon, Vice-Chairman)

The primary facts are these. The petitioner entered into service as Peon on 24.6.1955. According to the respondents themselves, he has attained the age of superannuation.

The prayer in this application is that the respondents may be directed to pay all the pensionary benefits to the petitioner. In particular, the prayer is that the respondents may be directed to pay the gratuity amount.

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Counter-affidavit has been filed. The learned counsel for the parties have been heard.

The learned counsel for the respondents stated at the Bar that the respondents are prepared to pay to the petitioner the entire payment towards Provident Fund and Insurance Fund. However, with regard to gratuity, the respondents have raised objection in the counter-affidavit. The allegation is that sometime in 1977, the petitioner abandoned his job. The material on record is scanty on the question as to whether the petitioner has abandoned the job. Therefore, we are not in a position to give finding on this issue.

The respondents are directed to pay the arrears of Provident Fund and Insurance Fund within a period of one month from today. As regards the payment of gratuity, the respondents shall examine the case of the petitioner. While doing so they shall give opportunity for hearing to the petitioner and then pass a reasonable order. They shall do so within a period of 2 months from today. They shall ~~communicate~~ indicate to the petitioner ^{the order} within a period of 2 weeks from the date of passing of the order.

With these directions, the application is disposed of finally. There will be no order as to costs.

B.N.Dhondiyal
(B.N. Dhondiyal)

Member(A)

S.K.Dhaon
(S.K. Dhaon)

Vice-Chairman