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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

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O.A.NO. 468/91

DATE OF DECISION: 17.01.92.

SH. KULDIP CHANDER SHARMA

.....

APPLICANT

VERSUS

UNION OF INDIA

.....

RESPONDENTS

CORAM:-

THE HON'BLE MR. T.S. OBEROI, MEMBER(J)

COUNSEL FOR THE APPLICANT : SH. S.K. BISARIA

COUNSEL FOR THE RESPONDENTS : MS. ASHOKA JAIN

(ORAL JUDGEMENT)

The relief claimed in this O.A., filed under Section 19 of the Administrative Tribunals Act, 1985, is concerning the payment of difference between the pay and allowances, to which the applicant claims to be entitled, after his having been nominated as a State Awardee, on 8.3.1990, by virtue of which he has become entitled to serve for a period of two years more, with effect from the date of his superannuation on 15.11.1989. The applicant's contention is that inspite of his entitlement, to the above, he is still being paid his pension only.

2. Counter has been filed on behalf of the respondents in which they have opposed applicant's claim, stating that the applicant is entitled to pension only. In the rejoinder filed on behalf of the applicant,

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applicant's contention, as per O.A., was reiterated.

3. We have heard the learned counsel for the parties.

4. The learned counsel for the applicant pointed out that in an another O.A.(No.2287/90), which has been decided by an other Bench of this Tribunal, allowing applicant's claim to continue in the capacity, which he was earlier holding, for a period of two years, on the basis of his being a State Awardee. Against this contention, nothing has been brought to our notice, to the contrary, not entitling the applicant, to his claim, as mentioned above.

5. In view of the above, the O.A. is decided in favour of the applicant, with the directions to the respondents to settle the applicant's claim, keeping in view the "duz - drawn" statement filed by him, with regard to the difference of emoluments to which he is entitled, within a period of four months, from the date of the receipt of a copy of this order, by Respondent No.2.

6. O.A. decided, as above, without any order as to costs.

T. S. Oberoi 17.1.92
(T.S. OBEROI)
MEMBER(J)
17.01.1992

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