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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. NO.1347/2004

New Delhi, this the 14th day of January, 2005

HON'BLE MR. S.K. MALHOTRA, MEMBER (A)

Suresh Pal,
S/o Late Shbri Parmal Singh,
R/o D-33, Janakpuri,
Behind Aradhana Cinema,
Sahibabad, Ghaziabad (UP)
Applicant

(By Advocate : Shri S.M. Rattanpal)

Versus

Union of India
Through the Secretary,
Ministry of Power,
Shram Shakti Bhawan,
New Delhi

The Secretary,
Ministry of Personnel, Public Grievances &
Pensions, North Block,
New Delhi

The Chairman,
Central Electricity Authority,
Sewa Bhawan,
R.K. Puram, New Delhi

Respondents

(By Advocate : Ms. Shail Goel)

O R D E R (Oral)

By S.K. Malhotra, Member (A) :

The present OA has been filed by the applicant with the prayer that the impugned order dated 21.4.2004 (Annexure A/1) issued by the respondents, rejecting his request for pro-rata pension, may be quashed and set aside and the respondents may be directed to allow him pro-rata pension

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and other pensionary benefits for the period he served with the Central Government.

2. The facts of the case, in brief, are that the applicant joined as Supervisor (Electrical) in the Central Water Commission in 1977 and was declared quasi-permanent in 1980. He was sent on deputation to Bhutan in 1985 and thereafter repatriated to the Central Electricity Authority (C.E.A) in 1988. On 22.3.1988 he was relieved by the C.E.A. to join the NTPC as Assistant Engineer where he was absorbed. As the applicant had put in more than 10 years of service in the Central Government, he has been representing for grant to pro-rata pension to him. However, vide order dated 21.4.2004, the respondents rejected his request for grant of pro-rata pension. Hence he has filed the present OA.

3. The respondents have filed a counter reply in which they have stated that the matter has been considered by them in consultation with the Department of Pension and Pensioners' Welfare and have now decided to grant pro-rata pensionary benefits to the applicant along with interest on gratuity and other pensionary benefits in accordance with the Govt. of India decisions (2) and (5) respectively below Rule 68 of the CCS (Pension) Rules, 1972.

4. During the course of discussion, the learned counsel for the respondents stated that the matter is in the advanced stage of consideration and they will be able to grant the applicant the pension and other pensionary benefits within a period of 1 – 2 months. The learned counsel for the applicant also placed before me a copy of the order dated 29.11.2004 passed in OA No.2204/2004 in which, under similar circumstances, the applicant in that OA has been allowed the benefits of pension and other pensionary benefits.

5. Taking into consideration the averment made by the respondents in their counter reply, the OA is allowed and the impugned order dated 21.4.2004 (Annexure A/1) is quashed and set aside. The respondents are

directed to pay to the applicant pro-rata pension and other pensionary benefits with interest, within a period of two months from the date of receipt of a copy of this order. No costs.

Sonalika

(S.K. Malhotra)
Member (A)

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