

Central Administrative Tribunal
Principal Bench, New Delhi.

CP-369/2006 in
OA-2581/2004

New Delhi this the 15th day of January, 2007.

**Hon'ble Mrs. Meera Chhibber, Member(J)
Hon'ble Mrs. Chitra Chopra, Member(A)**

Smt. Bimla Devi,
W/o Sh. Budhidhar,
R/o C/o Sh. Om Parkash Sharma,
Indira Park, H.No.RZ-3B/15,
Gali No.12, Palam Colony,
New Delhi.

.... Petitioner

(through Sh. Yogesh Sharma, Advocate)
Versus

1. Sh. S.K. Arora,
the Secretary,
Ministry of Defence,
Govt. of India,
South Block,
New Delhi.
2. Sh. S.K. Sahni,
Directorate General of Sup.&Tpt.,
Quartermaster General's Branch,
Army Hq., Sena Bhawan,
New Delhi.
3. Sh. A.P. Malhotra,
Commanding Officer,
No. 5121 ASC Bn.(MT)
C/o 56 APO.

.... Respondents

(through Sh. Rajeev Bansal, Advocate)

Order (Oral)

Hon'ble Mrs. Meera Chhibber, M(J)

This Contempt Petition has been filed alleging disobedience of the
Tribunal's orders dated 23.05.2006 (page-6).



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2. In the above order, it was already recorded in Para-7 that applicant had already been paid provident fund, arrears of pay and allowances and insurance but DCRG is not admissible. However, after hearing both counsel, respondents were directed to deem the husband of applicant as dead on legal fiction under Section 108 of the Indian Evidence Act of 1872 and thereafter to disburse retiral benefits including family pension, DCRG, leave encashment etc. to applicant being his legal heir, with arrears thereof, within a period of three months from the date of receipt of a copy of the order.

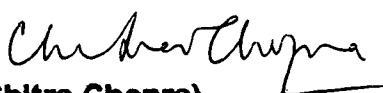
3. Today, counsel for respondents has produced a photocopy of PPO No. C/MISC/FP/06815/2006 dated 11.01.2007 whereby the Punjab National Bank, Narnaul, Mohindergarh, Rajasthan has been authorized to disburse the pension as well as DCRG to the applicant. He has produced another letter dated 12.01.2007 addressed to PCDA(NC) with regard to leave encashment for an amounting of Rs.3950/- only for early payment to the applicant. Both the documents are taken on record.

4. Counsel for applicant however submitted that Narnaul comes in Haryana whereas in the PPO it has been stated as Rajasthan. Therefore, this may be corrected. We do not know what details were given by the applicant. Therefore, if applicant has any difficulty on this account, she can always point out the same to the authorities. In such an event, we are sure the respondents would carry out the correction within a reasonable period say one month from the date she produces all the relevant documents. We also hope that the leave encashment would be paid to the applicant within four



weeks from the date of receipt of a copy of this order. In case applicant is still aggrieved, she would be free to approach the Tribunal on the original side.

5. In view of above, CP-369/2006 is dropped. Notices are discharged.


(Chitra Chopra)
Member(A)


(Mrs. Meera Chhibber)
Member(J)

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