

(A)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

CP NO.38/2005 IN
OA NO.2576/2004

New Delhi this the 28th July, 2005

HON'BLE SHRI V.K.MAJOTRA, VICE-CHAIRMAN (A)
HON'BLE SHRI SHANKER RAJU, MEMBER (J)

Atam Dev Arora
R/o BK-II-35, Shalimar Bagh,
Delhi.Applicant.

(By Advocate: Shri B.S.Jain)

Versus

1. Shri A.V.Singh,
Secretary, Ministry of Defence,
New Delhi.
2. Major General Daljit Singh,
Chief Engineer,
H.Q. Central Command,
Lucknow.Respondents.

(By Advocate: Shri J.B.Mudgil)

ORDER (ORAL)

By Shri Shanker Raju Member (J):

At the outset, learned counsel for the applicant stated that the applicant was settled in Pakistan after partition and he is not in possession of documents relating to appointments and transfer prior to 1947.

2. In the light of the decision of the office of the C.G.D.A. New Delhi-66 where it is held that in the circumstances where the documents are not available to establish the genuineness of a claim was not forthcoming, an affidavit executed by the claimant was accepted as a proof and the family pension was ^u notified.
3. In this view of the matter, we direct respondents to take effective steps where all the particulars of the Service Book of the applicant are incorporated and thereafter, process the claim of the applicant for pro rata pension. Respondents are directed to pass a speaking and

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(2)

reasoned order within a period of three months from the date of communication of this order.

On remaining aggrieved, the applicant shall be at liberty to take legal course.

S. Raju
(Shanker Raju)
Member (J)

/kdr/

V.K.Majotra
(V.K.Majotra)
Vice-Chairman(A)

28.7.05