

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI.

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Date of Decision: April 08, 1992.

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OA 781/92

R.P. VARSHNEY

... APPLICANT.

Versus

UNION OF INDIA & ANR. ... RESPONDENTS.

CORAM:

THE HON'BLE SHRI J.P. SHARMA, MEMBER (J).

For the Applicant ... Shri B.K. Aggarwal,
Counsel.

For the Respondents ... Shri Diwan Chand,
Under Secretary, Planning
Commission, representative.

1. Whether Reporters of local papers may be allowed to see the judgement ?
2. To be referred to the Reporters or not ?

JUDGEMENT (ORAL)

(DELIVERED BY HON'BLE SHRI J.P. SHARMA, MEMBER (J).)

The applicant has a grievance that the pensionary benefits have been disallowed to him w.e.f. May, 1989 till December 5, 1991. The applicant has earlier filed OA 1063/91 which was disposed of on 17.9.1991 with the direction to the respondents that they shall pass a final order in the matter regarding the grievance of the applicant. The applicant, therefore, has now

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assailed the order dated 5.12.1991 wherein the pension of the applicant has been stopped by virtue of a presidential order dated 5.12.1991 but he has, in fact not been paid pension though no such order was in existence inspite of representation from May, 1983. There was a similar case of the co-accused that the applicant, in the criminal case, Shri K.K. Sareen, who filed OA 2014/91 and that was decided on 14.2.1992 with the direction to the respondents to pay provisional pension to the applicant from May, 1989 till 5.12.1991. Thus, with all force, the claim of the applicant is covered by the decision in the case of K.K. Sareen Vs. Union of India.

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2. The departmental representative directly stated that it is not desired to contest the present application. In view of the party of the case and the applicant with that of K.K. Sareen, they have since implemented the decision in favour of K.K. Sareen. The applicant has not preferred any fresh representation before them otherwise they would have also considered the case of the applicant on the same lines.

3. In view of the above facts, the application is allowed in the same manner as that of Shri K.K. Sareen, OA 2014/91 decided by the Principal Bench on 14.2.1992 and the respondents are directed to pay the pension

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of the applicant which was already paid to him earlier from May, 1989 till 5.12.1991, within a period of six weeks from the date of receipt of this order.

In the circumstances, parties to bear their own costs.

J. P. Sharma
(J.P. SHARMA)
MEMBER (J)