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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A.NO. 1716/93

New Delhi this the 17th Day of November, 1993.

Hon'ble Sh. B.N. Dhoundiyal, Member(A)

Sh. Dipak Rag Guha,
S/o late Sh. S.C. Guha,
R/o A-50, Chitranjan Park,
New Delhi-110 019.

... Petitioner

(By advocate Sh. Inderjit Singh)

Versus

1. Union of India
through the Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.
2. The Director of Printing,
Directorate of Printing,
Govt. of India B-Wing,
Nirman Bhawan,
New Delhi-110011.
3. The Manager,
Govt. of India Press,
Minto Road,
New Delhi.

... Respondents

(By advocate Sh. Jog Singh)

O R D E R (ORAL)

Heard the learned counsel for the parties.

The admitted facts of the case are these.
The applicant was appointed as Lower Division Clerk on 31.1.1955 and worked upto 5.1.1970 in permanent capacity with Govt. of India Press, Minto Road. He was selected and appointed as Assistant in Central Warehousing Corporation, a Government of India Undertaking in response to an advertisement and was relieved on 6.1.1970 subject to terms and

b/w

conditions duly accepted by the applicant vide letter dated 16.1.1970. The terms and conditions fairly stated that the transfer not being in public interest the Govt. will not accept any liability to pay the retirement benefits or carry forward of leave for the period of service rendered under the Government. He was permanently absorbed in the Central Warehousing Corporation w.e.f. 1.1.1975 when pension scheme was not in operation.

The learned counsel for the applicant stated that as far back as in 1977 the applicant had applied to the authorities to deduct his foreign service contribution from the terminal benefits. The learned counsel for the respondents contended that he was not entitled to any pension before 1988 and as a matter of fact the foreign service contribution was deposited by him as late as on 14.5.1993.

The respondents have already accepted the liability to pay pension and other retirement benefits to the pensioner and have stated that his case is under progress. The application is, therefore, disposed of with the direction to the respondents that his pension case shall be finalised within a period of six months from the date of communication of this order and that alongwith interest @ of 10% per annum shall be given from 14.5.1993 to the actual date of payment.

The application is disposed of with the above observations. No costs.

B.N. Dhoondiyal
(B.N. DHOUNDIYAL)
MEMBER(A)

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For 12/11/93
Rejoinder - file K (48-50)