

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 09th day of November 2001.

Original Application no. 1042 of 2000.

Hon'ble Mr. Justice RRK Trivedi, Vice-Chairman.

Ibrahim,
S/o Sri Chhakoo, MT Driver (Retd),
R/o Station Road, Babbeena Cantt.
JHANSI.

.... Applicant

By Adv : Sri SK Kulshrestha

Versus

1. Union of India through Secretary Chief of the Army Staff Ministry, New Delhi.
2. Garrison Engineer (MES) Babbeena Cantt. Jhansi.
3. Chief Engineer, Head Quarter Central Command, Lucknow.
4. Account Officer, CDA, (P), Allahabad.
5. Chief of the Army Staff, Army Head Quarter, New Delhi.

.... Respondents

By Adv : Sri RC Joshi

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O R D E R

Hon'ble Mr. Justice RRK Trivedi, V.C.

By this O.A., the applicant has prayed for a direction to the respondents to release the pension and other post retiral benefits of the applicant since the date of retirement i.e. 30.4.1981. He has also claimed interest @ 18% pa on the amount due.

2. It appears that the applicant after ^{he} retired from military was re-employed as MT Driver w.e.f. 5.8.68 and retired as MT Driver on 30.4.1981. The net qualifying service was 12 years 8 months and 27 days. The applicant does not deny that he has been paid/encashment, GP Fund and other funds. However, his grievance is that he has not been paid pension. In the order dated 10.6.99 filed as annexure 6 about pension it has been stated as under :

"d. Pension :-

Pension book (Mil Pension) in r/o No. 65982685 Ex-Naik Abraham ASC (MT) retired on 30.4.81 was fwded to DCA (F) Allahabad for issue necessary order to increase his pension relief benefits and CDA (P) Allahabad returned duly increase the benefits w.e.f.

1.5.81 vide their letter No. AT7/VI/Rempt/XV dated 31.7.81 to Post Master Jammu under intimation to Shri Abraham and this Office. Post Master Jammu Tavi again forwarded to Tresuary Office, Jhansi vide his letter No. IMP/DR/21237 dated 18.3.83 for affacting payment to the individual."

3. From the aforesaid, it is clear that the papers were forwarded to CDA for necessary increase in the pension and the CDA (P) after due increase in the benefit w.e.f. 1.5.81 returned the paper to Post Master Jammu, who sent the matter

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to Treasury Officer, Jhansi for effecting the payment to the applicant. It appears that all formalities have already been completed and if the applicant has not been paid the pension and other retiral benefit, he should approach Garrison Engineer, Bateena Cantt, Jhansi, who shall examine the facts and ascertain the truth and in case the amount of pension has not been paid to the applicant, he shall issue necessary order to concern Tresuary to pay the pension of the applicant. This formalities shall be completed within a period of three months from the date copy of this order is filed before Garrison Engineer, Bateena Cantt, Jhansi (respondent no. 2).

4. Subject to aforesaid order the OA is disposed of finally. There shall be no order as to costs.



Vice-Chairman

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