



CENTRAL ADMINISTRATIVE TRIBUNAL

CHANDIGARH BENCH

Hearing by Video Conferencing

O.A. No.060/00496/2021

Chandigarh, this the 09th of June, 2021

HON'BLE SH. SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal,
Chandigarh Bench, Chandigarh)

HON'BLE SH. TARUN SHRIDHAR, MEMBER (A)

(On video conference from Central Administrative Tribunal,
Kolkata Bench, Kolkata)

Sukhwinder Singh S/o Sh. Surinder Singh, husband of late
Smt. Jaswinder Kaur Aged 37 years R/o H. No. 1/462/A,
Sector-33, UT Chandigarh (Group D)

....Applicant

(BY: Sh. Amit Kaith, Advocate)

Versus

1. U.O.I. through Secretary to Government of India, Ministry of Home Affairs, North Block, New Delhi, Pin Code 110001.
2. Chandigarh Administration, through its Secretary U.T, Chandigarh, Civil Secretariat, Sector 9, Chandigarh-160009.
3. The Vocational Officer, Chandigarh Administration, Civil Secretariat, Sector 9, Chandigarh-160009.
4. Director School Education Civil Secretariat, Sector 9, Chandigarh-160009.
5. The District Education Officer, Civil Secretariat, Sector 9, Chandigarh-160009.
6. The Principal, Government Sr. Secondary School, Sector-45 (Burail) Chandigarh-160047.

... .Respondents

O R D E R(Oral)**Per: SURESH KUMAR MONGA, MEMBER (J):**

1. The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 making therein the following prayer:-

"I) *To direct the respondents to grant following death-cum retiral benefits:-*

- a. *Family Pension*
- b. *Death-cum-retiral gratuity*
- c. *Ex-gratia payment*
- d. *Amount in lieu of leave encashment*
- e. *GPF Amount*
- f. *Employees Group Insurance amount*
- g. *Arrears of pay.*

II) *Further, to grant all these benefits alongwith interest at the rate of 12% p.a. from the date of accrual of the same till its release."*

2. At the very outset, learned counsel for the applicant submitted that before filing the present Original Application, the applicant got issued a Legal Notice dated 29.10.2020 (Annexure A-5) through his counsel which has not even been replied by the respondents. Learned counsel further submitted that the applicant will be satisfied if a direction is issued to the respondents to treat the said Legal Notice as applicant's representation and a decision is taken over the same within a time frame.

3. Keeping in view the aforestated limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Original Application, at the admission stage itself, without entering into the merits of the case.



4. Accordingly, the Original Application is disposed of with a direction to Director, School Education, Union Territory of Chandigarh to treat the applicant's Legal Notice dated 29.10.2020 (Annexure A-5) as his representation and pass a reasoned and speaking order in accordance with law. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of two months from the date of receipt of a certified copy of this order.

5. Ordered accordingly. However, there shall be no orders so as to costs.

(TARUN SHRIDHAR)
MEMBER (A)

(SURESH KUMAR MONGA)
Member (J)

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