

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



No. O.A. 350/00480/2021

Date of order: 07.04.2021

Present : Hon'ble Dr. Nandita Chatterjee, Administrative Member

Sri Dilip Kumar Barman,
S/o Late Sankar Lal Barman,
Retired from service on 31.08.2009,
As Inspector Central Excise,
Residing at 84/3, Satyen Roy Road,
Behala,
Kolkata - 700 034.

.... Applicant

- VERSUS -

1. Union of India,
Through the Secretary,
Ministry of Finance,
New Delhi,
Delhi - 110 001.
2. The Commissioner,
Central Excise,
Howrah Central Division,
15/1, Strand Road,
Howrah Commissionerate,
Kolkata - 700 001.
3. The Deputy Commissioner,
Central Excise Howrah Central Division,
15/1, Strand Road,
Howrah Commissionerate,
Kolkata - 700 001.
4. The Additional Commissioner Central Tax,
Howrah Commissionerate,
15/1, Strand Road,
Howrah Commissionerate,

beli

Kolkata - 700 001.

.... Respondents

For the Applicant : Mr. N. Roy, Counsel

For the Respondents : None

ORDER (Oral)

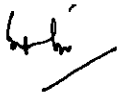
Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 for directions on payment of Gratuity, retirement benefits and other service benefits along with interest on delayed payments.

2. Heard Ld. Counsel for the applicant. Affidavit of service is taken on record. As none appears despite service, Rule 16(1) of CAT (Procedure) Rules, 1987 is invoked.

3. Ld. Counsel for the applicant would submit that the respondent authorities, vide their communication dated 27.2.2020 at Annexure A-5 to the O.A., had categorically stated that "no disciplinary as well as criminal proceedings are pending against the applicant", and, that vide such orders, they had also granted him the cash equivalent of leave salary.

As the applicant's Gratuity and other retiral benefits remain to be paid, the applicant had represented at Annexure A-7 to the O.A. praying for early disbursal. According to Ld. Counsel, the applicant would also pray for payment of interest @ 12% upon such delayed disbursements to which he is otherwise legally entitled.



4. As the representation at Annexure A-7 to the O.A., however, is confined to the payment of Gratuity only and has not addressed other pending dues of the applicant, Ld. Counsel for the applicant would seek liberty to withdraw this O.A. and to prefer a comprehensive representation.

Such liberty is granted. The applicant may file his comprehensive representation within a period of 4 weeks, and, upon receipt of the same, the addressee respondent authority or any other competent respondent authority, shall decide on the said representation in accordance with law, within a period of 8 weeks thereafter and would arrange to disburse the admissible entitlements of the applicant within a further period of 10 weeks.

5. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

SP