

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**O.A. No. 62/1181/2021**

This the 10<sup>th</sup> day of August, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)  
HON'BLE MR. ANAND MATHUR, MEMBER (A)**



Dr. Ashaq Hussain Mir, Age: 64 years, S/o Gh Ahmad Mir, R/o Bijhama Tehsil Boniyar, District Baramulla-193101.

.....Applicant  
(Advocate:- Mr. M.M. Khan)

Versus

1. Union Territory of J&K through Commissioner/Secretary to Govt. Health Department, Civil Secretariat, Srinagar/Jammu-190009.
2. Director, Health Department, Kashmir, Srinagar-190009.
3. Accountant General, J&K, Srinagar-190001.

.....Respondents.  
(Advocate: Mr. Amit Gupta, learned A.A.G./Mr. Raghu Mehta, learned Sr. C.G.S.C.)

**ORDER  
[ORAL]**

**(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)**

Learned counsel for the applicant submits that the applicant retired from the post of Chief Medical Officer, Kulgam in the year 2017. However, after his retirement, the pensionary benefits have not been released in his favour. Hence, the present O.A.

2. Learned counsel for the applicant further submits that the O.A. can be disposed of by directing the respondents to release the pensionary benefits in favour of the applicant within a stipulated time frame.

3. We have heard Mr. M M Khan, learned counsel for the applicant, Mr. Amit Gupta, learned A.A.G. and Mr. Raghu Mehta, learned Sr. C.G.S.C. for the respondents and perused the records.



4. Looking to the facts and circumstances of the case, we dispose of the O.A. with direction to the respondents to consider releasing the pensionary benefits in favour of the applicant under relevant rules and regulations within a period of two months from the date of receipt of a certified copy of this order. Needless to say that, in case, the applicant is found eligible for grant of pensionary benefits, the same be granted to him and on the contrary, if he is not, the respondents need to pass a reasoned and speaking order.

5. It is made clear that we have not entered into the merits of the case.

6. No order as to costs.

**(ANAND MATHUR)**  
**MEMBER (A)**

*Arun*

**(RAKESH SAGAR JAIN)**  
**MEMBER (J)**