

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
(ALLAHABAD BENCH) ALLAHABAD.

D.A. NO. 350/92
TA. NO.

OF 199

Date of decision 13.11.92

.....Shukley Lal.....Petitioner

.....Sri. Satish Dwivedi.....Advocate for the petitioner

VERSUS

.....U.C.S. & Others.....Respondent

.....Sri. S.N. Naqvi.....Advocate for the Respondents

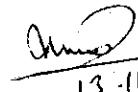
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CORAM :-

The Hon'ble Mt. Mahavir Din, J.P.

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the judgment
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether to be circulated to all other Benches ?


13-11-92
Signature

NAQVI/

THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD

O.A. No. 350/92

Chhotey Lal

...

Applicant

Vs.

Union of India & others

...

Respondents

Hon. Mr. Maharaj Din, J.M.

1. This application is under Section 19 of the Administrative Tribunals Act, 1985 praying to issue directions to the respondents to pay the applicant the retiral benefits.
2. The applicant was appointed as Safaiwala on 15.3.1957 under the Inspector of Works (Special), Northern Railway, Allahabad. He sought voluntary retirement v.e.f. 31.1.1983. It is stated that retiral benefits are not paid to the applicant despite his repeated requests. Hence the applicant has come up for the relief mentioned above, before this Tribunal.
3. I have heard Learned Counsel for the parties and perused the records. The respondents in Para 12 of the Counter Affidavit have stated that no request of the applicant were received in the past about payment of the retiral benefits. The respondents vide Annexure-3 dated 3.9.92 have informed the applicant that his request for release of the retiral benefits could not be considered as some thumb impression affixed on the Service Book by him does not tally with the thumb impression affixed ¹ on the papers submitted by the applicant for getting the pension etc. It appears vide Annexure-3 that the applicant had already submitted the papers for



getting the retiral benefits. The respondents do not disown their liability to pay the retiral benefits to the applicant as stated in Para 11 of the Counter Reply.

4. The respondents, have, however, filed a note written by the applicant together with the reply to the rejoinder, according to which the applicant had given up his claim regarding pension etc. The applicant has emphatically denied this note in Para 8 of his rejoinder affidavit. Moreover, this note has now lost its significance in view of the facts stated by the respondents in Para 11 of the Counter Reply.

5. In view of the discussion made above, the application is allowed with the directions that the respondents shall settle the retiral benefits which the applicant is entitled to get within a period of 2 months from the date of communication of this order.

6. There will be no order as to costs.


13.11.92
Member (D)

Allahabad

dt. 13.11.92

/ smc/