

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

....

original Application No. 1590 of 1999.

this the 6th day of March 2003.

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

Cintamani Mahapatra, S/o Sri R.K. Mahapatra, R/o 12 MES
Compound, Allahabad.

Applicant.

By Advocate : Sri B.B. Sirohi.

versus.

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi.
2. Engineering-in-Chief, E.-in-Cs Branch, Army Headquarters AMQ DHQ, New Delhi.
3. Chief Engineer, Central Command, Lucknow.
4. E.E. Garrison Engineer (West), Military Engineering Service, Allahabad.

Respondents.

By Advocate : Sri P. Srivastava for Sri S. Chaturvedi

O R D E R (ORAL)

By this O.A., applicant has sought the following relief(s):

- "(i) That the respondents may be directed to fix the pension of the applicant in the revised pay-scale i.e. Rs.4500-7000 and pay the difference of pay 1.1.1996 to 31.7.1997 computing the all pensionary/retirement benefits.
- (ii) To pay the full and final pensionary benefits i.e. GPF, Gratuity, Leave Encashment and other anomalies which are due after his retirement with 24% interest.
- (iii) -----
- (iv) -----."

2. In the Counter, the respondents have stated that on the basis of the pay-scale admissible to the applicant, his pension was fixed at Rs.5200/- and accordingly all



the pensionary benefits have also been released. The details of the amount released to the applicant are as under :

"G.P. Fund:

An amount of Rs.18,700 standing in the credit of applicant has already been released and paid. The applicant was asked to render the details of Rs.56000/- stated to be discrepancy in GP Fund which he has not done sofar and, therefore, no action can be taken.

pension:

The applicant has been granted pension @ Rs.2600/- p.m. vide PPO No. C/Corr/Engrs/07653/99.

Commutation Value:

The applicant has been sanctioned Rs.96954/- vide PPO No. C/Engrs/07804/99.

Leave Encashment :

A Supplementary bill for Rs.48390/- was prepared and passed for Rs.31008 by audit authority. An amount of Rs.16000 towards LTC advance drawn by the applicant was adjusted from this Bill. No further balance is due to the applicant.

Retirement Gratuity:

An amount of Rs.126423/- already released and paid vide PPO No. C/Engrs/07804/99. No further amount is due to the applicant.

CGEIS :

An amount of Rs.8350/- already been passed and paid.

Conveyance Allowance :

The applicant has been asked to submit details of Rs.5000/- claimed by him, but he has not submitted and details sofar."

They have further specifically stated that it is wrong to allege that pension or gratuity or other retiral benefits have been withheld by the answering respondents. They have also submitted that as on the day, all the retiral benefits including GPF, Pension, Leave encashment, Gratuity, CGEIS etc. have been released. As regards Conveyance allowance, it is stated by the respondents that the applicant had been asked to submit details of Rs.5000/- as claimed by him, but till date, he has not submitted any details, as such he is not entitled to get any Conveyance allowance. In view of the facts stated by the respondents, they have submitted that the O.A. may be dismissed with costs.

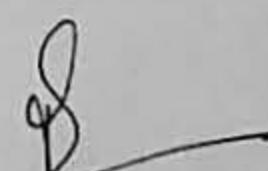
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3. The applicant has, however, pointed-out in the Rejoinder that there are certain discrepancies in the amount given to him, which are mentioned in para 14 of the Rejoinder affidavit.

4. The respondents in their Supplementary Counter affidavit have stated that the applicant has not impleaded the relevant party in this case inasmuch as CCDA, Fund, Meerut has not been impleaded as respondent in the present case, who alone is responsible for maintaining the Fund account.

5. In view of the arguments advanced by both the sides and the position ~~that~~ merges in the present situation, I think that this case can be disposed off by giving a direction to the applicant to make a fresh representation to the appropriate authorities within a period of four weeks from the date of receipt of copy of this order stating therein his grievances and how he states that ^{with regard to R} there are certain discrepancies ~~in which~~ the amounts paid to him. Incase, the applicant gives the said representation within the stipulated period of time, the respondents shall pass a detailed and reasoned order thereon within a period of four months from the date of receipt of such representation.

6. With the above directions, the O.A. stands disposed off with no order as to costs.



MEMBER(J)

GIRISH/-