

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH : ALLAHABAD

Original Application No.305 of 2003

Thursday, this the 1st day of May, 2003

Hon'ble Mrs. Meera Chhibber, J.M.

Balak Ram S/o Late Tilak Ram,
R/o Vill - Niyamatpur Dhalawali,
PO - Paithan, District - Farrukhabad.Applicant.

(By Advocate : Shri S.K.Shukla & Shri R. Trivedi)

V E R S U S

1. Union of India, through Secretary,
Ministry of Finance, New Delhi.
2. Chief Commissioner, Central Excise and
Customs, Tulsi Ganga Minar, 19-C Vidhan
Sabha Marg, Lucknow.
3. Commissioner, Central Excise,
Central Revenue Building,
Bir Chand Patel Path, Patna (Bihar).
4. Commissioner, Central Excise and Customs,
143 New Baradwari, PO - Sakchi, Jamshedpur.
5. Pay and Accounts Officer, Central Excise,
Central Revenue Building, Birchand Patel Path,
Patna (Bihar).
....Respondents.

(By Advocate : Shri P.D.Tripathi)

ORDER (ORAL)

Grievance of the applicant in this case is that
he had given an application for Voluntary retirement on
06.02.2002 while working as Superintendent, Central Excise,
Division-I Jamshedpur which was accepted vide order dated
09.05.2002 w.e.f. 05.05.2002 under Rule 48 A(2) of CCS Pensions



Rules (Pg.22) and thereafter he was asked to submit his pension papers so that his pension may be decided at the earliest vide order dated 14.05.2002 (Pg.25) which was applied by the applicant as is evident from the acknowledgment receipt dated 07.06.2002 which shows that the pension papers were submitted by the applicant on 04.06.2002 (Pg.27) but till date he has not been paid retiral benefits ^{though} even he has given number of representations also to the authorities which are annexed at page 39 onwards nor he has been given any reply. The representation is dated 10.06.2002 on Pg.29 followed by letter dated 17.12.2002 requesting the Additional Commissioner, Central Excise, Jamsedpur to kindly send the amount on account of CGEGIS through Bank Draft encashable at State Bank of India, Kaimganj Branch (Pg.33) and yet another letter addressed to the Commissioner, Central Excise, Patna on 08.11.2002 followed by number of reminders but till date no payment has been made to him. Therefore, he has prayed that direction to be issued to the respondent No.2 to pay the pensionary benefits to the applicant namely Pension, Gratuity, amount of insurance, commuted value of pension by 40%, amount of leave salary, final payment of G.P.F. along-with other dues like increments from 1991 to 1997 and arrears of salary on account of fixation of pay after promotion and salary from 06.05.2002 to 14.05.2002. Applicant has further sought compound interest on payment dues @ 18%.


2. Counsel for the respondents was seeking time to file reply to the O.A.



3. Since grievance of the applicant in this case is that he has been allowed voluntary retirement w.e.f.05.05.2002 and till date he has not been paid any of his pensi-onary benefit even though he has already given number of representations to the higher authorities, I think no purpose would be served by calling Counter Affidavit at this stage. Respondents have not passed any orders on the various representations given by the applicant to the higher authorities.

4. Therefore, this O.A. is disposed off at the admission stage itself by giving a direction to the respondents to take into account *all* the representations given by the applicant so far which are annexed with the O.A. and to pass a reasoned and speaking order thereon within a period of 3 months from the date of receipt of a copy of this order under intimation to the applicant. Applicant should be ~~paid~~ paid the amounts, which are due to him in accordance with law within the stipulated period. In case there is any *other* hinderence in payment of any of the amounts, applicant should be informed by the authorities for the same by passing a reasoned order.

4. With the above direction, this O.A. is disposed off at the admission stage itself with no order as to costs.


Member (J)

shukla/-