

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.306 OF 2003
ALLAHABAD THIS THE 4TH DAY OF APRIL, 2003

HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A
HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

Parmatma Saran Garg
S/o Late Shri Pyare Lal Garg,
Aged about 62 years,
R/o 213, West End Road,
Meerut Cantt.

.....Applicant

(By Advocate Shri K.P. Singh)

Versus

1. Union of India,
through Secretary,
Ministry of Defence,
New Delhi.
2. Deputy Director General,
Military Farm,
Q.M.G.'s, Branch,
Block No.3,
R.K. Puram,
New Delhi-110066.
3. The Director of Military Farm,
Head Quarter,
Central Command,
Lucknow.
4. Controller of Defence Accounts,
Pension, Allahabad.
5. The Officer Incharge,
Military Farm,
Allahabad.
6. Officer Incharge,
Military Farm Records,
Delhi Cantt.

(By Advocate Shri V.V. Mishra)

.....Respondents

ORDER

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

Grievance of the applicant, in this case, is that he was compulsorily retired from service vide order dated 26.07.2003 (Page 30) and it was specifically stated therein that applicant will not be entitled for pensionary benefits as he has absented from duty wilfully and unauthorisedly and did not comply with the orders of OIC MF, Allahabad for re-joining duty. This order was challenged by the applicant and the appellate authority modified this order by order dated 25.09.01 and reduced the penalty of compulsory retirement without pensionary benefits to compulsory retirement with pensionary benefits (Page 36). After this, applicant has submitted that his pension was not fixed properly for which he has stated to have given a detailed representation addressed to the DDJMF dated 30.09.2002 at (Page 41) but inspite of it, it is submitted by the applicant that neither the respondents have disposed of his representation nor have granted his pay fixation as demanded by him, therefore, finding no other option he had to file this D.A.

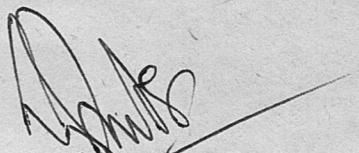
2. Learned counsel for the respondents wanted to file reply to the D.A. but we think it is not necessary at this stage, to call for the CA, in as much as, the grievance of the applicant has to be decided at the first instance by the authorities concerned, which, according to the applicant, has not been done so far. Therefore, we are disposing of this D.A. at the admission stage itself, ^{Without expressing any view on the merits of the case of} by giving a direction to the respondents to dispose of the representation dated 30.09.2002 filed by applicant at page 41 of the D.A. by passing a reasoned and speaking order under intimation to the applicant within a

period of three months from the date of receipt of a copy of this order.

3. With the above directions this O.A. is dispensed of with no order as to costs.



Member-J



Member-A

/Neslam/