

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 871 of 2003

Dated : This the 20th day of October, 2003

Hon'ble Mr. A.K.Bhatnagar, Member (J)

Mahendra Kumar, S/o Late Lalit Prasad,
R/o 79, Gariwan Tola, Allahabad.

...Applicant.

(By Advocate : Shri A.Tewari)

V E R S U S

- 1- Union of India through
The Secretary Ministry
of Defence, Government, New Delhi.
- 2- Director General of Ordnance Services
(OS-8C) Master General of Ordnance
Branch, Army Head Quarters, D.H.Q.,
P.O., New Delhi - 110011.
- 3- The Commandant , Ordnance Depot Fort,
Allahabad.
- 4- Controller General of Defence Accounts
South Block, R.K.Puram, New Delhi.
- 5- Principal Controller, Controller Defence
Accounts Central Command, Lucknow.

...Respondents.

(By Advocate V: Shri R.C.Joshi)

O R D E R (O R A L)

By Hon'ble Mr. A K Bhatnagar, Member J

By this O.A., filed under section 19 of Administrative
Tribunals Act 1985, the applicant has sought the following
relief(s):-

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" i) Issue a writ, order or direction in the nature of mandamus directing the respondent authorities to make 18% interest in delayed payment of retiral benefits to the applicant.

ii) Award the cost of the original application to the applicant. "

2. The facts of the case, in brief, are that the applicant retired after attaining the age of superannuation on 31.07.2001 and his retiral benefits were paid to him after a long delay but no interest on it was paid to the applicant. The applicant made several representations to the department followed by reminders but no action has been taken so far by the department which caused a great hardship to the applicant.

3. Learned counsel for the applicant submitted that the applicant has filed a detailed representation dated 09.11.2002 sent by registered post to the respondent no.2 which is still pending before the department as undecided. Learned counsel for the applicant has filed postal receipt in proof of sending the representation to the respondents. Learned counsel for the applicant submitted that ends of justice will be met if the representation of the applicant is decided by the respondents within a time bound manner with reasoned and speaking order for which counsel for the respondents has got no objection.

4. I have heard counsel for the parties & considered their submissions and perused the record.

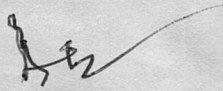
5. In view of the aofresaid it will be appropriate if a

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direction is issued to respondent no.2/competent authority for deciding the representation of the applicant dated 09.11.2002 (Annexure-VII) within a time bound manner by a reasoned and speaking order.

6. Accordingly the O.A. is disposed of with a direction to respondent no.2/competent authority to decide the representation of the applicant with a reasoned and speaking order within 3 months from the date of receipt of a copy of this order. Liberty is given to the applicant to file a fresh representation to the respondents alongwith the copy of the order of this Tribunal to facilitate the process of deciding the representation.

No order as to costs.


Member J

Brijesh/-