

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

(THIS THE 02nd DAY OF JUNE, 2010)

PRESENT :

HON'BLE MR. S.N. SHUKLA, MEMBER-A

ORIGINAL APPLICATION NO. 867 OF 2007

(U/s, 19 Administrative Tribunal Act.1985)

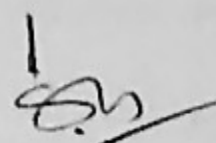
1. Kendriya Pensioner's Kalyan Samiti, through its General Secretary, 192, Pashupati Nagar, KANPUR.
2. Sita Ram, Retd. Labour (SS), T.No. 84/M.E., Small Arms Factory, Kalpi Road, KANPUR.
3. Rameshwar Dayal, Retd. Carpenter (Master Craftsman) T.No. 35/WW Small Arms Factory, Kalpi Road, KANPUR.
4. Kedar Nath Retd. Fitter (HS-I) T.No. 324/LC, Small Arms Factory, Kalpi Road. KANPUR.
5. Permanand Rai, Retd. Labour (Skilled), Small Arms Factory, Kalpi Road, KANPUR.
6. Bhupinder Singh Retd., Small Arms Factory, Kalpi Road, KANPUR.
7. Tilak Raj Kumar, Retired Chageman Gr. I/QCW, Ordnance Factory, Kalpi Road, KANPUR.
8. Krishan Lal Grover, Retd. Chageman Gr. I/E.M. Ordnance Factory, Kalpi Road.
9. Yad Ram, Retd. Master Craftsman, Ordnance Factory, Kalpi Road, KANPUR.
10. Sone Lal, Retd. Rigger (Skd.) T.No. 745/MM, Ordnance Factory, Kalpi Road, KANPUR.
11. Tufail Ahmed, Retd. Tailor (Skilled), Ordnance Parachute Factory, Napier Road, KANPUR.
12. Ram Babu, Retired Tailor (Skilled), Ordnance Parachute Factory, Napier Road, KANPUR.
13. Prem Chandra, Retired Turner (HS-I), Ordnance Equipment Factory, KANPUR.
14. Chandra Kishore, Retired Tailor (HS-II), Ordnance Equipment Factory, KANPUR.
15. Ganga Singh Retired Turner (HS-II), Ordnance Equipment Factory, KANPUR.

.....ApplicantS

By Advocate: Shri R.K. Shukla.

Versus

1. The Union of India through the Secretary, Ministry of Defence, Deptt. of Defence Production & Supplies, GOVT. OF INDIA, NEW DELHI. 11.



2. The Secretary, Ordnance Factory Board, 10-A, Shaheed Khudi Ram Bose Road, KOLKATA-1.
3. The General Manager, Small Arms Factory, Kalpi Road, KANPUR.
4. The General Manager, Ordnance Factory, Kalpi Road, KANPUR.
5. The General Manager, Ordnance Parachute Factory, Napier Road, KANPUR.
6. The General Manager, Ordnance Equipment Factory, KANPUR.

..... Respondents

By Advocate: Shri Saurabh

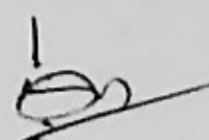
ORDER

(DELIVERED BY: HON'BLE MR. S. N. SHUKLA - MEMBER-A)

Heard Shri R.K. Shukla, learned counsel for the Applicant and Shri Saurabh, learned counsel for the Respondents.

2. This O.A. is filed for the following relief:-

- (i) *To issue a writ, order or direction in the nature of Mandamus Commanding the respondents to pay Dearness Pay/Dearness Allowance as prevalent at the time of their retirement, while computing the total amount of gratuity as per existing rules.*
- (ii) *To issue a writ, order or direction in the nature of mandamus directing the respondents to amend the P.P.Os. already issued duly correcting the total amount of gratuity and pay the difference of amount of amount so arrived by computing the gratuity amount by including D.A. in emoluments.*
- (iii) *To issue any other suitable writ, order or direction in the facts and circumstances of the case, which this Hon'ble Tribunal may deem fit and proper.*

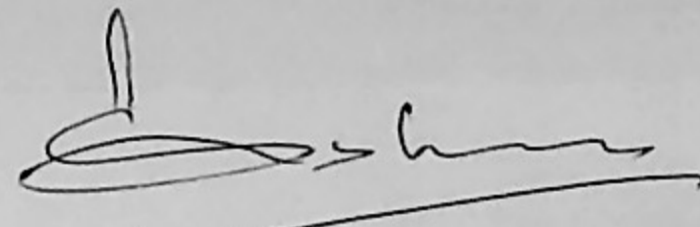
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(iv) To award cost of the petition."

3. Learned counsel for the applicant at the very out set stated that the representation of the applicant at Annexure A-I and A-II is filed for seeking redressal of his grievance and is still pending.

4. Considering the facts of the case the Competent Authorities (Respondent No. 3 to 6) as may be applicable, depending upon the location of the petitioner, are directed to pass a reasoned and speaking order as per law /rules within a period of 12 weeks from the date of receipt of copy of this order.

5. With the aforesaid direction, the O.A is disposed of finally with no order as to costs.



A.M.

/S.V./