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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A. No. 614 of 2010

Jalandhar SahooApplicant

Vs

UOI & Ors. Respondents

1. Order dated: 8th July, 2011.

C O R A M

THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (ADMN.)

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The Applicant in this OA seeks to quash the order under Annexure-A/5 dated 18th February, 2010 and to direct the Respondents to grant him the minimum pension by taking the shortfall period of service so as to count the ten years service for the purpose of pension from the service rendered by him as ED Packer cum EDMC in RPLine EDSO. I do not find justification to record all the facts canvassed by the respective parties as the subject matter of this Original Application has already been answered by this Tribunal in other cases filed before this Tribunal earlier except to state that admittedly the applicant joined as ED/GDS Packer cum Mail Carrier in RP Line EDSO on 17.7.1973. While continuing as such, the applicant appeared at the postman examination held on 16.1.2000. On being found suitable he was promoted to the post man cadre of the Postal Department. As such his date of birth being 09-02-1949 on reaching the age of superannuation of 60 years, he retired from service on 28.02.2009. Since the applicant has completed less than ten years, as per the extant rules he was sanctioned gratuity and leave encashment as per his entitlement but no pension was sanctioned in his favour as he did not have ten years qualifying service to his credit.

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2. Learned Counsel appearing for the parties have placed their respective cases with reference to the pleadings. Having considered the submissions of both sides I have gone through the materials placed on record. I find that the issues involved in this OA was before this Tribunal in OA No. 609 of 2010 filed by Shri Gandiba Behera v Union of India and others and in order dated 6.7.2011, this Bench of the Tribunal after taking note of the earlier order of this Tribunal directed the Respondents to bring such of the shortfall period of service from the ED employment of the Applicant to count for the purpose of minimum period of ten years qualifying service and accordingly sanction and pay the pension and pensionary benefits to the Applicant from the date of his retirement forthwith preferably within a period of 60(sixty) days from the date of receipt copy of this order; failing which, the Applicant shall be entitled to 6% interest on the arrear pension and pensionary dues from the date of his retirement till actual payment is made and the Respondents are free to recover the interest amount from the officer who would be found responsible for causing delay in payment.

I find no ground to differ ^{from} ~~on~~ the decision already taken ^{by} by this Tribunal in the earlier cases. Hence the Respondents are hereby directed to bring such of the shortfall period of service from the ED employment of the Applicant to count for the purpose of minimum period of ten years qualifying service and accordingly sanction and pay the pension and pensionary benefits to the Applicant from the date of his retirement forthwith preferably within a period of 60(sixty) days from the date of receipt copy of this order; failing which, the Applicant shall be entitled to 6% interest on the arrear pension and pensionary dues from the date

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of his retirement till actual payment is made and the Respondents are free to recover the interest amount from the officer who would be found responsible for causing delay in payment.

3. With the aforesaid observation and direction this OA stands disposed of. No costs.


(C.R. Mohapatra)
Member (Admn.)