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O.A.No.418/2009

N.C. Mohanty .....Applicant.  
Vs.  
Union of India & Ors. .....Respondents.

ORDER DATED 04<sup>th</sup> MAY, 2010

Coram:

Hon'ble Mr. C.R. Mohapatra, Member (A)

Heard Mr. N.R. Routray, Ld. Counsel for the applicant and Mr. U.B. Mohapatra, Ld. Sr. Standing Counsel for Union of India and Mr. A.K. Bose, Ld. Counsel for State of Orissa. Also perused the material available on record.

2. The applicant is a retired Indian Forest Service Officer of Government of Orissa. Though he retired on 28.02.2009 since his retiral benefits including provisional pension had not been released till September, 2009, he approached this Tribunal with the following prayers:-

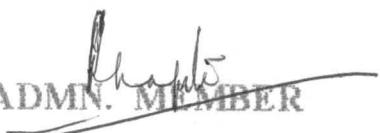
"To sanction the provisional pension/regular pension from 01.03.2009 and other retiral benefits (DCRG Rs.4,22,875/- + commuted value of pension + 8,31,609/- + unutilized leave Rs.3,29,430/- along with accrued interest + 60% of the balance arrear pay on the revised scale of Pay, 2006) in favour of the applicant within a month along with interest at the rate of 18% per annum from 01.03.2009 till the date of payment."

2. The case was admitted and notice was issued asking the Respondents to file counter. In spite of giving adequate opportunity the State Government did not file the counter. However, during the course of hearing on 29.04.10, the Ld. Govt. Advocate for the Government of Orissa filed the counter detailing the status of the payment relating to the claim of the applicant. It reveals from the counter that the provisional pension of the applicant has already been sanctioned vide Forest & Environment Dep'tt. letter No.14674 dtd. 26.8.2009 (Annexure-A). The leave salary in lieu of unutilized earned leave has also been sanctioned vide F&E Department letter No.15382 dtd. 05.09.09 (Annexure-B). The Accountant General (A&E) Bhubaneswar has authorized the balance GPF amount of Rs.4,98,308/- vide Authority No.Fund-7-FPR 408/09/10/908(A) dated 09.11.09 (Annexure-C). It is also stated in the counter that for the sanction of final pension, commuted value of pension and DCRG, after submission of the relevant papers by the office of the PCCF, Orissa, it requires examination and thereafter it would be sent to A.G. (A&E) for release of the above dues in favour of the applicant.

In view of the submissions of the Respondents nothing remains further to be adjudicated in this O.A. As agreed to by the Ld. Counsel for the parties Respondent Nos. 4 & 6 are directed to complete the exercise for sanction of final pension, commuted value of pension and DCRG within a period of three months from the date of receipt of the copy of this order. Simple interest @ 6% as admissible under the relevant rules shall also be paid during the above period.

3. With the above observations and directions this O.A. is disposed of. No order as to cost.

4. Copy of this order be sent to Respondent Nos. 4 & 6 for compliance.

  
ADMN. MEMBER