

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

M.A. 264 of 96
(O.A. 694 of 96)

Date of order : 12.09.96

Present : Hon'ble Mr. Justice A.K.Chatterjee, Vice-Chairman

Hon'ble Mr. M.S. Mukherjee, Member (A)

PRAKASH CH MONDAL

VS

UNION OF INDIA & ORS

For the petitioner : Mr. R.S.Singh, counsel

For the respondents : Mr. P.C.Saha, counsel

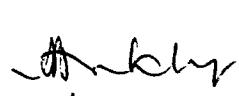
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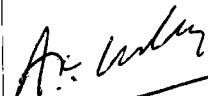
This MA has been filed by the petitioner praying for an interim order for making payment of pension, DCRG, commuted value of pension etc. The OA has been fixed for hearing on 7.1.97. No reply has been filed to the OA nor to this MA. Mr. P.C.Saha, 1d, counsel for the respondents submits that he is still awaiting instructions from the Deptt. for preparing reply to both the MA and OA.

2. The 1d. counsel for the petitioner submits that although the petitioner has retired on 30.9.95, till date he has not been paid anything - neither provisional pension nor DCRG nor any other retiral benefits. We are very much disconcerted of the fact that the Deptt. could not even pay provisional pension on the basis of the minimum of the pay scale of the post the petitioner was holding at the time of his retirement under the rules. If there is any problem regarding finalisation of pension or DCRG amount, that can be done subsequently.

3. In the circumstances, we dispose of this MA with the order that within 10 days from the date of communication of this order, the respondents shall pay to the petitioner provisional pension under the rules for all the period from the date he retired till date. The OA will be heard on the date already fixed. Because of peculiar circumstances of the case, we may not grant any extension to the respondents to file reply.

Let a plain copy of this order be supplied to the parties for immediate compliance.


MEMBER(A)


VICE CHAIRMAN