

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 18.11.1998

O.A. No. 42/1997

Prabhudan Charan aged about 23 years, son of Shri Ramoo Ram Charan, by caste Charan, resident of village and post Suap via Tehsil Falodi, District Jodhpur - (TSM, Telecom, Bikaner).

... Applicant.

v e r s u s

1. Union of India through the Secretary, Ministry of Telecommunication, Sanchar Bhawan, New Delhi.
2. Telecom District Engineer, Telephones, Bikaner.
3. Sub-Divisional Officer (Telegraph), Bikaner.

... Respondents.

Mr. N.K. Khandelwal, Counsel for the applicant.

Mr. Vinit Mathur, Counsel for the respondents.

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman.

Hon'ble Mr. Gopal Singh, Administrative Member.

O R D E R

(Per Hon'ble Mr. Gopal Krishna)

Applicant, Prabhu Dan Charan, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, mainly praying for grant of pension and retiral benefits as admissible under the rules.

2. We have heard the learned counsel for the parties and have carefully perused the records.

3. Applicant's case is that while working as an Helper under the Sub-Divisional Officer (Telegraph), Bikaner, he met with an extremely serious accident on 2.3.1992

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disabling him to make use of his organs and limbs below the waist. The applicant has been paid compensation under the Workmen's Compensation Act, 1923. The respondents have stated in the reply that the applicant was engaged on the muster roll and was being paid only for the days he worked or performed his duties. It is contended by the respondents that since the applicant has been working on the muster roll basis and his case has been covered by the Workmen's Compensation Act, 1923, under which the applicant has already been paid, he is not entitled to any pensionary / retiral benefits as per rules. However, the respondents have categorically admitted in the reply that a representation made by the applicant is pending consideration with the competent authority.

4. In the circumstances, the present application is disposed of with a direction to the respondents to decide the applicant's representation at Annexure A/2 dated nil within a period of three months from the date of receipt of a copy of this order. No order as to costs.

Gopal Singh

(Gopal Singh)
Adm. Member

Gopal Krishna

(Gopal Krishna)
Vice Chairman

cvr.