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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 01.04.99

O.A. No. 139/98

Brij Singh Rathore son of late Shri Mohan Singh aged about 57 years resident of Arun Bhawan, 138, Roop Nagar, B.J.S. Colony, Paota 'C' Road, Jodhpur, retired as Store Superintendent (on deputation as Office Superintendent) Parental Department : Central Ground Water Board.

... Applicant.

v e r s u s

1. Union of India through the Secretary to Government of Ministry of Water Resources, Krishi Bhawan, New Delhi.
2. The Chief Engineer and Member, Central Ground Water Board, N.H.IV, Faridabad, Haryana.
3. The Regional Director, Ground Water Board, North Eastern Region, Tarunnagar Byelane-1, G.S. Road, Guwahati, Assam.

... Respondents,

Mr. Y.K. Sharma, Counsel for the applicant.

Mr. K.S. Nahar, Counsel for the respondents.

CORAM:

Hon'ble Mr. Gopal Singh, Administrative Member.

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BY THE COURT:

Applicant, Brij Singh Rathore, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, mainly praying for a direction to the respondents to pay the applicant his pension value and DCRG, Gratuity, GPF, CGEIS and L.T.C. with interest @ 12% per annum on the entire amount of arrears of pension, DCRG and commuted value of pension.

2. The brief facts of the case are that the applicant while


(Signature)

working as Stores Superintendent in the Office of the Regional Director, Central Ground Water Board, North Eastern Region, Guwahati, took voluntary retirement and was relieved from his post with effect from 29.1.98 (A.N). He had submitted his pension papers on 2.12.97. However, his retirement benefits were not paid and that led him to approach this Tribunal through the present O.A. It has been averred on behalf of the respondents that the service book of the applicant was not completed and it took time in correspondence between lending and borrowing department and that has delayed in making the payment of retirement benefits. The retirement benefits have since been paid during June, 1998 and August, 1998.

3. The pensionary benefits are not a bounty to be given by the Government at their sweet will. The pensionary benefits are required to be paid to the retiring official immediately after his retirement. In this case, the applicant has sought voluntary retirement and he had submitted the pension papers on 2.12.97. Considering three months' time as a reasonable time to complete the process of pension papers of the applicant, the retirement benefits should have been paid to the applicant by 1.3.98. The retirement benefits had, however, been paid during June, 1998 and August, 1998.

4. In the circumstances of the case, I consider it just and proper to partly allow this application with a direction to the respondents that they shall pay interest on retirement benefits from 1.3.98 till the date of payment @ 12% per annum to the applicant. The above direction shall be complied with within a period of three months from the date of receipt of a copy of this order.

5. The O.A. stands disposed of accordingly. No order as to costs.


Gopal Singh
(Gopal Singh)
Adm. Member

cvr.

6/6/97
B/R
7/5/97

Rec'd copy
6/6/97

Part II and III destroyed
many pages of 4-2-06
under the provision of
Section 552 as per
order dated 6/5/97
Section Officer (Record)