

I/6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

.....

Date of Order : 13.3.2003.:

O.A.NO. 249 OF 2002.

.....

Bhadu Ram S/o Shri Rama Ram Aged 61 years, Retired FGM,
HS II, MES, Air Force, Jaisalmer, Resident of Village
Badabagh, District Jaisalmer.

....Applicant.

versus

1. Union of India through the Secretary to
Government, Ministry of Defence, Raksha Bhawan,
New Delhi.
2. The Controller of Defence Accounts, Southern
Command, Poone.
3. Garrison Engineer, MES, Air Force, Jaisalmer.

.....Respondents.

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CORAM:

Hon'ble Mr. J.K. Kaushik, Judicial Member

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Mr. Vijay Mehta, counsel for the applicant, present.
Mr. Vinit Mathur, Counsel for respondents, present.

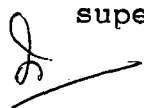
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ORDER

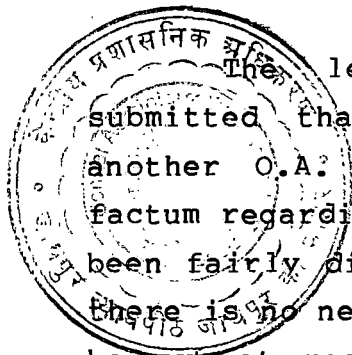
BY THE COURT :

Shri Bhadu Ram, has filed this O.A. and has prayed
for seeking a direction to make payment of Pension,
Death-cum-Retirement-Gratuity and Leave Encashment, inter
alia other reliefs.

2. The brief facts of the case are that applicant,
while serving as FGM HS-II, in Military Engineering
Services (Air Force), Jaisalmer, has retired on
superannuation on 30.6.2001. During the pendency of this



case, the respondents have issued another order on 26.10.2002, wherein, certain variances have been made inasmuch as it has been ordered that the pensionary benefits w.e.f. 1.7.1998 to 30.6.2001 have been ordered to be with-held describing the said period as irregular retention in service. While it is an admitted position that the payments in pursuance with the order dated 6.3.2002 (Annex.A/2) have been released and paid to the applicant but, the matter relating to the period from 1.7.1998 to 30.6.2001 have been put in dispute.



The learned counsel for the applicant has submitted that as regards the other grievance, another O.A. 40/2003 has already been filed and the factum regarding this O.A.i.e. O.A. No. 249/2002 has also been fairly disclosed therein. In this view, the matter, there is no need to contest this O.A. as the matter shall be set at rest in the subsequent O.A. No. 40/2003 and thus this O.A. has, become infructuous.

4. In view of what has been said above, the O.A. is dismissed as having become infructuous. It shall be scarcely necessary to mention that the dismissal of this O.A. shall not in any way prejudice the subsequent O.A. 40/2003 and the applicant shall be at full liberty to agitate his grievance. There is no orders as to costs.

J.K. Kaushik

[J.K. Kaushik]
Judicial Member

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jrm

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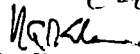
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28/3

Recd



24/3/02

Part II and III destroyed
In my presence on 29.6.08
under the supervision of
section officer (1) as per
order dated 27.11.08



Section officer (Records)