

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.393/2004.

Wednesday this the 30th day of June 2004.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

Cheriyam Padachira,
Padachira Grace Villa,
Marthoma Personage Road,
Kollad P.O., Kottayam-686 029.

Applicant

(By Advocate Ms. Kochumol Kodoth)

Vs.

1. Union of India represented by the Secretary to the Government of India, Ministry of Defence, New Delhi.
2. The Flag Officer Commanding-in-Chief, Headquarters, Western Naval Command, Shahid Bhagat Singh Road, Mumbai-400 001.
3. The Officer in Charge, Kunjali-II, Naval Air Station, Near Colaba Fire Station, Colaba, Mumbai - 400 005.
4. The Controller of Defence Accounts(Pension), Group-G1/XXVII, E.P.D.C.-/Civil, Computer Centre, P C D A (Pension), Droupadi Ghat, Allahabad (UP).

Respondents

(By Advocate Shri C.Rajendran, SCGSC)

The application having been heard on 30.6.2004, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.KV.SACHIDANANDAN, JUDICIAL MEMBER

The applicant who was working as L.D.Clerk of Kunjali-II(Havildar Clerk) under the 2nd respondent, voluntarily retired from service on 31.8.2001. It is averred in the O.A. that he has not been paid his commuted pension, bonus and interest thereof for the delayed payment. Aggrieved by the inaction on the part of the respondents the applicant has filed this application seeking the following main reliefs:



a) Direct the respondent Nos.3 and 4 to disburse the commuted pension of the applicant with interest from 31.8.2002 within a time limit to be fixed by this Hon'ble Tribunal.

b) Direct the respondent Nos.3 and 4 to pay the applicant interest @ 9.5% on the monthly pension and gratuity amounts withheld for 14 months before giving it to the applicant, immediately.

c) Direct the respondent Nos.3 and 4 to pay the applicant bonus on the 5 months from April to August, 2001, for the financial year 2001-2002 with interest immediately.

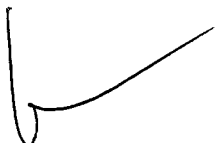
2. When the matter came up before the Bench Mrs.Sadhanakumari Easwari appeared for the applicant and Shri C.Rajendran, SCGSC appeared for the respondents.

3. Learned counsel for the applicant submitted that even though the applicant has made repeated representations including A-6 to various authorities, the respondents have not disbursed the said amount. Counsel also submitted that the applicant would be satisfied if he is permitted to make a comprehensive representation to the 3rd respondent within one week and a limited direction is given to the 3rd respondent to dispose of the same and disburse the said amount within a time frame.

4. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

5. In the interests of justice, this Court is also of the view that such a limited direction will meet the ends of justice.

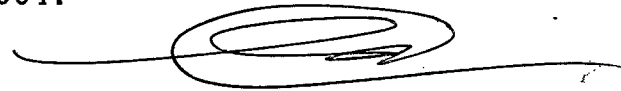
6. Therefore, this Court permits the applicant to make a comprehensive representation to the 3rd respondent within one



week and directs 3rd respondent to dispose of the same, pass appropriate orders and disburse the amount within a period of two months from the date of receipt of such representation.

7. O.A. is disposed of as above at the admission stage itself. In the circumstance, no order as to costs.

Dated the 30.6.2004.



K.V.SACHIDANANDAN
JUDICIAL MEMBER

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