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CENTRAL ADMINISTRATIVE TRIBUNAL,

LUCKNOW BENCH

LUCKNOW

T.A. No. 82/92

(O.A. No. 625/87)

L.S. Sharma ... Applicant

Vs.

Union of India & others ... Respondents

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. K. Obayya, A.M.

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

According to the applicant, he was appointed as L.D.C. in the year 1968 and became quasi-permanent u.e.f. 7-6-72 and was confirmed as L.D.C. on 1-5-1973. He was promoted to the post of U.D.C. although ~~the~~ ^{he} applicant has been described as sub-Inspector, he never became Sub-Inspector, except designation, but ~~he~~ continued to be a civilian staff. His grievance is that he was permanently incapacitated from further service u.e.f. 16-9-83 and invalidated u.e.f. 15-3-84 on medical grounds ^{and} received his pension ^{and} funds after a long time i.e. after correspondence, representation etc. According to the applicant, although the other benefits were received by him, benefit of commuted leave for the rest period i.e. 25-7-83 to 15-9-83, 6 months leave due, benefit of increments of adhoc period for average emoluments, benefit of increments due on 1-1-84 during the leave period and recurring amount for 10 years at the rate of Rs.25/- per month, extra-clothing deduction amount, extra-interest-charge on welfare, amenities fund loan, G.P. Fund amount, risk fund amount, extra-ordinary pension, etc. were not paid to him.


2. The applicant made various representations on this behalf to the Director General, regarding the non-payment of his dues and was replied by Asstt. Director vide 18-3-1987. He has sent another letter to the Minister of State for Home and to the Deputy Director before filing this application to this Tribunal.

3. The applicant has prayed that all these benefits may be given to him to which he is entitled to, but the respondents are sitting tight over the matter and have refused to grant the said relief to which he is legally entitled to, in view of the Rules 33 & 34 of the pension rules and other rules. ^{There} ~~It~~ appears, ~~there~~

is no reason to discard the case of the applicant who has succeeded to make out a case for consideration of his plea and grant of relief to which he is entitled to.
Accordingly the respondents are directed to consider

the case of the applicant within ³⁰ days from the date of receipt of this order and award all the benefits claimed by the applicant within this period provided the same is not otherwise barred for which they have to pass a speaking order.


Member (A)


Vice-Chairman

Dated: 28th August, 1992, Lucknow.

(tgk)