

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO:861/2000
DATED THE 19TH DAY OF MAR,2001

CORAM:HON'BLE SMT.SHANTA SHASTRY, MEMBER(A)

Shri Chandrabhan R Shinde,
retired as Asst. Labour Commissioner
from the Office of the Regional Labour
Commissioner(C),
Shram Raksha Bhavan, Sion,
Bombay - 400 022.

... Applicant

By Advocate Shri M.S.Ramamurthy

V/s.

The Union of India
through

1) The Pay & Accounts Office(Pension
Sanctioning Authority),
Chief Labour Commissioner (Central),
Ministry of Labour,
Shram Shakti Bhavan,

2) The Principal Accounts Officer,
(Controlling Officer),
Ministry of Labour,
Shram Shakti Bhavan,
New Delhi-110 001.

3) The Regional Labour Commissioner
(Central),
Shram Raksha Bhavan,
Shiv Shrushti Road,
Sion, Mumbai - 400 022.

4) The Manager,
(Pension Disbursing Authority),
Dena Bank, Akurli Road,
Kandivali(E),
Mumbai - 400 101.

... Respondents

By Advocate Shri V.D.Yadhavkar for
Shri M.I.Sethna

(ORAL) (ORDER)

Per Smt.Shanta Shastri, Member(A).

The grievance of the applicant is that his Pension has
been stopped after nearly 15 years on the ground that his
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original pension which he originally commuted fully was not commuted fully when the previous service was added for purposes of Pension and his pension was revised. According to the applicant, this has been done all of a sudden without giving any notice to the applicant. The applicant has prayed for Interim Relief by way of staying the Impugned letter dated 4/10/2000.

2. In my considered ^{view} before any stoppage of pension is implemented, the natural justice demands that the applicant should have been given a notice of the same and an opportunity of being heard which does not appear to have been done in this case.

3. I therefore dispose of this OA with a direction to the Respondents to issue a notice to the applicant as to why his Pension should not be stopped and thereafter give a decision by way of a speaking order. This may be done within a period of two months from the date of issue of this order. If the applicant is further aggrieved thereafter, he is at liberty to take recourse to law again. No costs.

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(SHANTA SHASTRY)
MEMBER(A)

abp