

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 987/92
T.A. No. —

198

DATE OF DECISION 24.12.93Shri B.N. Bhalia PetitionerMr. S. I. Thirwani Advocate for the Petitioner(s)

Versus

U.O.I. and Ors. RespondentMr. P.M. Prachan Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. Justice H.S. Deshpande, Vice-Chairman

The Hon'ble Mr. —

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether in needs to be circulated to other Benches of the Tribunal ?



V.C.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.987/92

Shri B.N.Bhatia,
Barrack No.528/2,
Ulhasnagar 421 002.

.. Applicant

-versus-

1. Union of India
through
Secretary/Director General,
Department of Posts
Dak Bhavan,
New Delhi - 110 001.
2. The Chief Post Master General,
Maharashtra Circle, G.P.O.
Bombay - 400 001.
3. Senior Supdt. of Post Offices,
Bombay City East Division,
Dadar, Head Office Building,
Bombay - 400 014.
4. Director of Accounts (Postal)
Through
Accounts Officer/Pension
I & II (Postal)
Nagpur - 440 001. .. Respondents

Coram: Hon'ble Shri Justice M.S.Deshpande
Vice-Chairman

Appearances:

1. Mr.S.I.Thirwani
Counsel for the
Applicant.
2. Mr.P.M.Pradhan
Counsel for the
Respondents.

ORAL JUDGMENT:
(Per M.S.Deshpande, V.C.)

Date: 24-12-93

The only prayer in this application is that the respondents should be directed to pay the amount of Rs.7,720/- which has been withheld by the respondents from his DCRG.

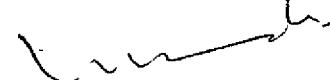
2. The applicant retired on 31-12-1988.

A notice of enquiry resulting in minor penalty was issued against him on 9-12-88 because of his negligence certain amount became to be paid to the CTD contributors. The applicant admitted his mistake in representation which he made on 12-1-89. It is not necessary to refer to other proceedings which taken in the meanwhile. Suffice it to say that on



2-5-1990 an order was passed that the case may be settled as per Rule 69(C) of CCS Pension Rules. The proviso to Rule 69(C) says that the payment of gratuity should be authorised to be paid to the government servant in respect of the enquiries of the present type. It is therefore clear that the amount of DCRG Rs.7,720/- could not be withheld by the respondents.

3. It is therefore directed that the respondent shall pay to the applicant the amount of DCRG Rs.7,720/- together with interest @ 10% p.a. for the delayed payment of balance of gratuity from 1-1-89 till the actual date of payment. The payment shall be made within three months from the date of communication of this order.



(M.S.DBSHPANDE)
Vice-Chairman

M