

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

O.A.278/97

THURSDAY this the 1st day of MAY 1997

K.G.Hilay,
253/6, Shivaji Nagar,
At post Asangaon,
Tal.Shahapur,
Dist. Thane.

By Advocate Shri Sureshkumar .. Applicant

-versus-

1. Union of India
through
Asstt. Dir.General(ST)
Govt. Med.Store Dept.,
Mumbai Central,
Mumbai - 400 008.
2. Pay & Account Officer,
Ministry of Health & FW
Govt. Med.St.Depot Compound,
Mumbai Central,
Mumbai - 400 008.

By Counsel Shri B.Ranganathan
for Shri J.P.Deodhar for R.No.1 .. Respondents

-: O R D E R (ORAL) :-

(Per B.S.Hegde, Member(J))

Heard Mr.Sureshkumar for the applicant
and Mr.B.Ranganathan for Mr.J.P.Deodhar for the
respondent No.1. The only prayer made in the
application is to direct the respondents to
pay the retirement dues and to pay interest
on the retirement due @ 18% w.e.f. 31-8-1996.

2. The applicant has retired from the
service of the respondents w.e.f. 31-8-1996.
He has not been paid his retiral benefits.
The contention of the respondents is that
there was some court case pending against
the applicant hence the same could not be paid.
Counsel for the applicant states that court case
was decided on 23-9-1996 and though communication
was sent to the respondents they have not paid him

B.S.Hegde

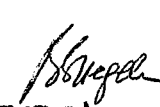
gratuity, commutation amount and leave salary and he has been given only provisional pension. Tribunal vide its order dt. 10-4-97 directed the respondents to make ~~payment~~ all the payment within a fortnight. Thereafter the respondents paid leave salary and provisional pension. However, they have not released gratuity, commutation of pension till now.

3. Learned counsel for the applicant draws my attention to the decision in O.A. 1014/95 decided on 23-9-1996 wherein the Tribunal has directed the respondents to recover normal rent in respect of quarter No.2619 and damage rent for quarter No.790 from 20-7-1993 to May, 1995 and the respondent department was directed to work out the settlement dues of the applicant within a period of three months from the date of receipt of the order. In spite of this the respondents have not released the applicant's retiral benefits.

4. In the facts and circumstance of the case narrated above the respondents are directed to release the retiral benefits of the applicant with interest @ 12% p.a. within a period of thirty days from the date of receipt of a copy of this order.

5. O.A. is disposed of accordingly. Copy of the order be sent to Respondent No.2 also.

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(B.S. HEGDE)
Member(J)