

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.508/99

Date of Order : 3.12.99

BETWEEN :

Ch.Biksham

.. Applicant.

AND

The Director,
Defence Research and
Development Laboratory,
Chandrayangutta, Hyderabad.

.. Respondents.

- - -

Counsel for the Applicant

.. Mr.K.Sudhakara Reddy

Counsel for the Respondents

.. Mr.B.N.Sharma

- - -

CORAM :

HON'BLE SHRI R.RANGARAJAN & MEMBER (ADMN.)

- - -

O R D E R

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

- - -

None for the applicant. Mr.M.C.Jacob for Mr.B.N.Sharma,
learned standing counsel for the respondent.

2. This OA is disposed of under Rule 15 (1) of C.A.T.
(Procedure) Rules.



.. 2 ..

3. The applicant in this OA while working as Photographer Gr-II made an application on 3.5.94 for voluntary retirement. Subsequently he submits that ^{it was} ~~which~~ was accepted and he was relieved ^{from} ~~on~~ duties w.e.f. 25.8.94. He was also advised to come to the office to enable the R-2 to process the pension/gratuity papers. In that connection the applicant filed earlier O.A.984/97 & M.A.894/98 in O.A.984/97 praying for a declaration that the action of the respondents in not allowing the applicant to withdraw the voluntary retirement as was done in case of one Mr. P.V. Rao, and not processing the pension and other retirement benefits is totally illegal, arbitrary, without jurisdiction and violative of Articles 14 and 16 of the Constitution and for a consequential direction to the respondents to treat the applicant as in service with all consequential benefits.

4. That OA was disposed of by order dated 11.8.99 and the direction given in that OA as follows :-

"We have perused the voluntary retirement application submitted by the applicant. We have no doubt in our minds that the pension papers should also be signed similarly as what he had signed in his voluntary retirement letter on 3.5.94. If the pension papers are accordingly submitted by the applicant, the applicant should be paid pension and pensionary benefits in accordance with rules within a period of two months from the date of request for payment of pension".

5. The applicant was informed by the impugned letter dated 6.10.98 (A-1) as follows :-



.. 3 ..

"You are advised to submit the pension papers in the name of CH.Biksham to enable this office to process your pension case to CCDA (P), Allahabad (a duplicate set enclosed).

Further, it is surprised to note that you have stated in your letter dated 4.9.98, that you have not been paid salaries from 20.2.96 to till to date. The question of payment does not arise since you had Voluntarily retired from Government Service w.e.f. 25.7.94.

In view of the above your submission of pension paper is still awaited, please expedite".

6. This OA is filed to set aside the impugned order dated 6.10.98 to file pension papers in the name of Ch.Biksham by treating it as illegal, arbitrary and unconstitutional.

7. The above relief prayed for has already been answered in the judgement in the earlier OA 984/97 & MA.894/98 in OA.984/97 which has been reproduced in para-4 supra.

8. In view of the above, no further order is necessary in this OA. The OA is ordered accordingly. No costs.

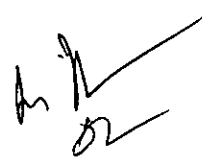


(R.RANGARAJAN)
Member (Adm.)

Dated : 3rd December, 1999

(Dictated in Open Court)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH.
HYDERABAD.

1ST AND 2ND COURT

COPY TO.

1. HON'BLE
2. HON'BLE M. (ADMN)
3. HON'BLE M. (JUDL)
4. D.R. (ADMN)
5. SPARE
6. ADV. DATE
7. STANDING COUNSEL

TYPED BY
COMPOSED BY

CHECKED BY
APPROVED BY

THE HON'BLE MR. JUSTICE DH. NASIR
VICE-CHAIRMAN

THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMN)

THE HON'BLE MR. S. S. JAI PARAMESHWAR
MEMBER (JUDL)

DATE OF ORDER 3/12/99

MA/RA/CP. NO.

IN
CA. NO. 508/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

