

4

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL JAIPUR BENCH:  
JAIPUR.

G.A. No.225/98

Date of order: 12.8.98

Suresh Chandra Kulshreshtha son of Shri Tripa Shankar  
Kulshreshtha r/o E-180 Katariya Colony, Ram Nagar  
Extension, Sodala, Jaipur.

: Applicant

Versus

1. Union of India through the Chief Workshop Manager,  
Central Railway Workshop, Jhansi (U.P.)
2. The Workshop Accounts Officer, Central Railway  
Workshop, Jhansi (U.P.)
3. The Financial and Chief Accounts Officer, Central  
Railways, Mumbai - 400001 CST.
4. The Chief Mechanical Engineer, Central Railway,  
Mumbai - 400001 CST.

: Respondents

Mr. A.H.Gupta, counsel for the applicant

Mr. S.S.Hasan, counsel for the respondents

CORAM:

Hon'ble Mr. Ratan Prakash, Judicial Member

ORDER

Per Hon'ble Ratan Prakash, Judicial Member

The applicant herein Shri Suresh Chandra  
Kulshreshtha has approached this Tribunal under Section  
19 of the Administrative Tribunals Act, 1985 to seek a  
direction against the respondents to make him payment of  
one-third commuted portion of pension w.e.f. 1.8.1996



3

alongwith interest at the rate of 24% per annum.

2. On the last date i.e. 8.7.98 notices were issued to the respondents. Shri S.S.Hasan has appeared today on behalf of the respondents and states that the relief claimed by the applicant in the OA has since been granted to him. In support of it, the learned counsel for the respondents has also produced today a copy of the order No.W/JHS/FS/1529 dated 05.08.1998 whereby restoration of one-third portion of pension has since been approved to be paid to the applicant. The order reads as under:

"The restoration of 1/3rd portion of pension has since been approved as under:

- 1) Original Pension of Rs. 438/-.
- 2) 1/3rd of above: Rs. 146 per month + Relief
- 3) Date of commencement of Pension: 24.09.96. As the commutation was paid on 24.09.81.

Necessary data have been sent to FASCAO for issue of PPO. It is expected that the payment of Pension will commence in a months time. You are requested to kindly communicate this to your advocate in connection with CAT Case OA No. 225 of 1998"

3. In view of this changed situation and a major part of the relief is going to be granted by the respondents, and to this effect an order has also been issued on 5.8.98; this OA is disposed of with the following direction at the stage of admission:-

The respondents shall issue an order regarding payment of pension as has been decided by them to be paid to the applicant vide their order dated 5.8.98, reproduced above. They are also directed that they shall also pay to the applicant interest, if any

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6

admissible, for the delay in payment of pension as per rules. They shall issue an order to this effect in favour of the applicant within one month from today i.e. 12.8.1998. A copy of this order be supplied to the parties.

4. The OA stands disposed of accordingly with no order as to costs. The order dated 5.8.98 produced by the learned counsel for the respondents is taken on record.



(Ratan Prakash)

Judicial Member