

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIFUR.

O.A No.68/2000

Date of order: 23.1.2000

Lallu Ram, S/o Sh.Suja Ram Gurjar, R/o Jamwa Ramgarh,
Jaipur, retired Telegraph Man Jamadar(O), TO, Jaipur.

...Applicant.

vs.

1. Union of India through Chief Superintendent, Central
Telegraph Office, Telecommunication Deptt, Jaipur.

...Respondent.

Mr.Manish Bhandari - Counsel for the applicant.

Mr.N.C.Goyal - Counsel for respondent.

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member

Hon'ble Mr.A.P.Nagrath, Administrative Member.

PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMER.

In this Original Application filed under Sec.19 of the Administrative Tribunals Act, 1985, the applicant seeks a direction to the respondents to give him full pension from the date of his actual date of retirement after giving the benefit of fixation as per revised pay scale under the V Pay Commission and arrears thereof. Further direction also sought to quash and set aside the impugned order of retirement dated 28.1.99 (Annex.A2) with the direction to the respondent that the applicant be retired on attaining the age of 60 years and he is entitled to all consequential benefits accordingly.

2. Reply was filed. It is stated in the reply that the grade of Telegraph Man was revised on the recommendations of V Pay Commission w.e.f. 1.1.96 and the Telegraph Man was placed in Group-C. Therefore, retirement age on superannuation of the applicant will be 58 years as applicable to other Central Govt employees in Group-C vide DOPT letter, marked as Annex.E1. It is also stated that the applicant had already completed 58 years on 30.9.97, therefore, he was retired on 28.1.98 with

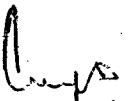
Suraj

deemed date of superannuation and the applicant was given all pensionary benefits, as per details given in para 4.4 of the reply.

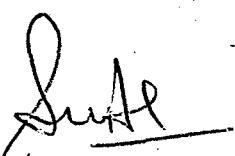
3. It is stated by the learned counsel for the respondents that the applicant has been paid salary upto 32.1.98, the date upto which he had worked. He has also stated that the settlement dues has also worked out on that basis and will be paid.

4. As the post of Telegraph Man has been categorised as Group-C post, therefore, the applicant's age of superannuation can only be 58 years and not 60 years therefore, the applicant is not entitled to retire at the age of 60 years. The benefit of pay and allowances and other pensionary benefits have already been given to the applicant, according to the statement made by the counsel for the respondents, the applicant is not entitled to any further relief.

5. We, therefore, dismiss the Q.A. having become infructuous with no order as to costs.


(A.P.Nagrath)

Member (A)


(S.K. Agarwal)

Member (J).