

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 143 of 2001

Jabalpur, this the 3rd day of November, 2003

Hon'ble Mr. M.P. Singh, Vice Chairman

Shri Brij Mohan Khatri, S/o Late Shri  
Ishwari Prasad Khatri, Aged about 58 years,  
R/o Shastri Nagar, Jabalpur(MP)

APPLICANT

(By Advocate - None)

VERSUS

1. U.O.I Through  
The Chief General Manager,  
Department of Telecommunication:  
M.P. Circle, Bhopal (MP)
2. The General Manager,  
Telecommunication,  
C.T.O. Compound, Jabalpur(MP)
3. The Superintendent,  
Central Telegraphic Office,  
Jabalpur, Distt. Jabalpur(MP)

RESPONDENTS

(By Advocate - Shri B. da. Silva)

O R D E R (ORAL)

The applicant who took voluntary retirement on 19.9.2000 has filed this Original Application seeking a direction to the respondents to pay him the withheld amount of 20% gratuity with interest and has also sought for further direction to give him pension properly and interest on GPF.

2. The brief facts of the case are that the applicant opted for voluntary retirement under 48-A of the Central Civil Services(Pension)Rules,1972 with effect from 19.9.2000. His request for voluntary retirement with effect from 19.9.2000 was accepted by the respondents. Consequent upon the acceptance of his option for voluntary retirement the applicant has been paid his retirement benefits in accordance with the rules. According to the respondents, the applicant was called upon to attend the office for having his pension papers to be filled up. It is stated by the respondents that all his retiral dues were sanctioned and paid between

Contd.....2/-

1.11.2000 and 27.11.2000. They have further stated that vide demand draft no.0801576843 dated 27.11.2000, provisional pension @ Rs.3709 ~~0000000~~ for the month of September & October, 2000; provisional DCRG above 90% amounting to Rs.1,60,000(-)Rs.4000 LTC advance as well as Rs.12,739/- withheld from DCRG to adjust Govt./society dues; GPF balance allowing interest upto October, 2000 amounting to Rs.45,325/-; and CGEGIS saving fund of Rs.13,222/- were paid.

3. Heard the learned counsel for the respondents. As none is present for the applicant and this is an old matter, the Tribunal is disposing of this matter by invoking provisions of Rule 15 of Central Administrative Tribunal (Procedure) Rules, 1987 after perusing the material available on record and hearing the learned counsel for respondents.

4. After perusal of the records and the facts narrated by the respondents, I am of the considered view that there is no inordinate delay in making the retiral dues to the applicant. The applicant has <sup>2</sup>been retired on submitting his application for voluntary retirement and it was not the retirement at the age of normal superannuation. He was retired on 19.9.2000 and his dues were paid within a period of three months i.e. on 27.11.2000. Even the interest on the GPF has been paid up to the end of October, 2000. Only 7% of the gratuity amount was withheld to adjust Govt./society dues. From the above, it is clear that there is no delay in settling the retiral dues.

5. In view of the above facts, the OA being bereft of merits is dismissed, however, without any order as to costs.

पृष्ठकल सं ओ/व्या.....जवलपु. दि.....

चलिलिपि अन्वेषित -

(1) सचिव, उच्च न्यायालय वार एडवोकेट जनरल

(2) आलेख्य श्री/श्रीमती/कु.....

(3) सचिव, श्री/श्रीमती/कु.....

(4) श्री/श्रीमती/कु.....

सचिव एवं आवश्यक कार्यवाही हेतु

(M.P.Singh)  
Vice Chairman

Devesh Khatri, Adv.  
B. dani, Adv.

*[Signature]*

*[Handwritten signature and date 10/11/07]*