

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH  
CHANDIGARH**

**O.A. No.060/00893/2014**

**Decided on: 07.10.2014**

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)  
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Sodhi Singh S/o Sh. Faqir Singh, aged 60 years, resident of Patti Bhau, Village & P.O. Kalra via Adampur Doaba, District Jalandhar, Punjab.

**.....Applicant  
Versus**

1. Union of India through the Secretary to Government of India, Ministry of Defence, New Delhi.
2. Principal Director, Ministry of Defence, DE Western Command, Kendriya Sadan, 5<sup>th</sup> Floor, Sector 9-A, Chandigarh.

**.....Respondents**

Present: Mr. A.S. Parmar, counsel for the applicant

**Order (Oral)**

**By Hon'ble Mr. Sanjeev Kaushik, Member(J)**

1. By way of the present O.A., the applicant has sought issuance of a direction to the respondents to release him the benefits of retiral dues viz. leave encashment, DCRG, commuted value of pension w.e.f 01.01.2014 onwards with interest thereon @ 18% per annum w.e.f. 01.01.2014 to the actual date of payment.
2. At the commencement of hearing, learned counsel for the applicant stated that before approaching this Tribunal, the applicant had represented to the respondents for redressal of his grievance by way of legal notice dated 28.06.2014 (Annexure A-8), which is still

pending consideration with them. He makes a statement at the Bar that the applicant will be satisfied if the O.A. is disposed of with a direction to the respondents to consider and take a view on legal notice (Annexure A-8) within a time-bound frame.

3. For the order we propose to pass, there is no need to issue any notice to the respondents and call for their reply as the respondents have not yet taken a view on the legal notice served on behalf of the applicant which they are bound to do within six months as per the Section 20 of the Administrative Tribunals Act, 1985 and, therefore, non-issuance of notice would not cause any prejudice to them.

4. Accordingly, we dispose of this O.A., with a direction to Respondent No. 2 to consider the legal notice (Annexure A-8) served on behalf of the applicant and take a view thereon in accordance with law and rules on the subject, within a period of two months from the date of receipt of a copy of the order. If the applicant is found entitled to the claimed benefits, the same may be extended to him along with permissible interest within one month thereafter.

5. No costs.

**(UDAY KUMAR VARMA)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

**PLACE: Chandigarh**  
**Dated: 07.10.2014**

**MW**