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CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH

20. CP 060/00117/2015 IN O.A. No. 060/00603/2014

(Megavaran Vs. S.K. Chadha & Anr.)

21.05.2015

Present: Sh. Barjesh Mittal, Advocate vice Sh. N.P.Mittal, counsel for the petitioner.

1. Heard.
2. Issue notice to the respondents returnable for 15.07.2015.

Uk
(UDAY KUMAR VARMA)
MEMBER (A)

J
(SANJEEV KAUSHIK)
MEMBER (J)

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Notices issued
on 25/5/15.
AO's not received
b/cuse. Reply has not
been filed

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10/7

24. CP 060/00117/2015 in

O.A. NO.060/00603/14

Meghavaran Vs. S.K. Chadha & Another

15.07.2015

Present: Ms. Moushmi Mittal, counsel for the petitioner

Mr. Aseem Rai, counsel for Resp. No. 1

Mr. Arvind Moudgil, counsel for the respondent No. 2

1. Learned counsel for the Respondent No. 2 seeks and is granted permission to file reply affidavit. On the basis thereof, he submits that the petitioner has not furnished the requisite documentation for grant for family pension and therefore, her case could not be processed further. He further submits that as and when the requisite documentation is submitted by the petitioner, the respondents will grant the benefit in accordance with law and rules on the subject.
2. Learned counsel for the petitioner submits that the learned arguing counsel is out of station and seeks two days' time to argue the matter.
3. List on 20.07.2015.



(UDAY KUMAR VARMA)

MEMBER (A)

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(SANJEEV KAUSHIK)

MEMBER (J)

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**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

**30. C.P.060/00117/2015 IN
O.A. No.060/00603/2014**

(MEGAVARAN Vs. S.K. CHADHA & ANR.)

20.07.2015

Present: Sh. N.P. Mittal, counsel for the applicant.

Sh. Vinay Gupta, proxy for Sh. Aseem Rai, counsel for the respondents.

Sh. Arvind Moudgil, counsel for respondent no.2.

As prayed by learned counsel for the parties, list this case on 05.08.2015.

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

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

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**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

30. C.P.060/00117/2015 IN
O.A. No.060/00603/2014

(MEGAVARAN VS. S.K. CHADHA & ANR.)

05.08.2015

Present: Sh. Barjesh Mittal, counsel for the applicant.
Sh. Aseem Rai, counsel for the respondent No.1.
Sh. Arvind Moudgil, counsel for respondent no.2.

1. Sh. Mittal submitted that despite visit to office of the respondents to submit desired documents, the respondents are not accepting the same and the applicant has not been getting her valuable right despite directions by this Court.
2. In view of the submissions of learned counsel for the applicant, we direct respondents to get all the requisite documents from the applicant today itself and thereafter decide her claim within a period of 15 days in terms of our order and grant her admissible benefits. The applicant be apprised by Sh. Moudgil personally in this regard. If order is not complied with by the next date of hearing, the officer who is responsible for this shall remain present in the Court.
3. List on 11.09.2015.
4. **Dasti.**

RS
(RAJWANT SANDHU)
MEMBER (A)

SJ
(SANJEEV KAUSHIK)
MEMBER (J)

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*Dasti Order
issued on 17/8/15.*

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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CHANDIGARH BENCH**

Sr.No.19

**C.P.NO.060/000117/2015 IN
O.A. No.060/00603/2014**

MEGAVARAN VS. S.K. CHADHA & ANOTHER

11.09.2015

Present: Mr. Barjesh Mittal, counsel for the applicant.

Mr. Rohit Sharma, proxy counsel for respondent No.1.

Mr. Arvind Moudgil, counsel for R.No.2.

1: Learned counsel for the respondent no. 2 submitted that on the one hand he has been given by respondent no.3 a written communication (Memo No.EER-3/MC/Legal/662) dated 9.9.2015 indicating that competent authority has given necessary orders for allowing pensionary benefits and employment to one dependent of the deceased employee and on the other hand by an order / letter of even date the applicant has been informed that she has not so far intimated whether she had ever applied for appointment of any dependent of the deceased and she has not submitted family pension papers and has been advised to submit the same at the earliest. Both the documents are taken on record.

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b/s

**CENTRAL ADMINISTRATIVE TRIBUNAL,⁶
CHANDIGARH BENCH**

2. Learned counsel for the applicant states that the both the orders are contradictory.
3. Considering the above, we direct the Chief Engineer, Municipal Corporation, Chandigarh (Respondent No.2) to remain present in person in the court on the next date of hearing to explain the factual scenario.
4. List on 22.9.2015.
5. It would be the duty of Mr. Moudgil to convey the aforesaid directions to Respondent no.2.
6. **Dasti.**

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(UDAY KUMAR VARMA)
MEMBER (A)

Sa
(SANJEEV KAUSHIK)
MEMBER (J)

HC*

Dasti Order
issued on 11/9/15.
Nobody collect the
order by counsel to
the R.N. 1

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CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH

25. CP 060/001178/2015 IN OA No. 060/00603/2014

(Megavaran Vs. S.K. Chadha & Anr.)

22.09.2015

Present: Sh. Barjesh Mittal, proxy counsel for the petitioner.
Sh. Aseem Rai, counsel for respondent no. 1.
Sh. Arvind Moudgil, counsel for respondent no. 2.

1. Heard.
2. Learned counsel for respondent no. 2 has produced a copy of order dated 21.09.2015 passed in compliance to the order dated 06.12.2014 passed by this court, which is taken on record.
3. Based thereupon, he submitted that the benefit as allowed by this court has been extended to the petitioner and only part remains is the pension which will be released soon for which relevant papers have been submitted to the concerned quarter. Since, the authorities have complied with the orders, therefore, they cannot be held guilty of contempt.
4. Considering that the respondents have substantially complied with the order of this court, we are of the view that the respondents cannot be prosecuted under the contempt of court at this stage. The present C.P is disposed of with a liberty to the petitioner to move an application for revival of the contempt if the respondents do not release the pensionary benefit within a

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH

period of 60 days, as prayed by learned counsel for respondent no. 2.

5. We expect from the respondents they will honour their undertaking and fully comply with the relevant order of this court within above said time period. With regard to the daily wages/wager issue as raised by the learned proxy counsel for the petitioner, there is no finding recorded by this court on that issue, therefore, this issue can be raised before the respondents, in the first instance.
6. Notices issued to the respondents are discharged.

RS —

(RAJWANT SANDHU)
MEMBER (A)

JK

(SANJEEV KAUSHIK)
MEMBER (J)

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