

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00647/2014

Decided on: 04.08.2014

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

Rajinder Kumar son of Late Sh. Daulat Ram, Resident of House No. B-II-96, Court Road Street No. 1, Opposite Dashmesh Public School, Mansa, Punjab (Erstwhile employee of Indian Red Cross Society District Branch Mansa (Punjab.)

.....Applicant

Versus

1. Indian Red Cross Society, Punjab State Branch, Sector 16, Madhya Marg, Chandigarh, through its Honorary Secretary.
2. Indian Red Cross society, District Branch Mansa, through its President-cum-Deputy Commissioner Mansa, New Court Complex, Bal Bhawan, Mansa (Punjab.)

.....Respondents

Present: Mr. Vikas Arora, counsel for the applicants

Order (Oral)

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

1. The present O.A. has been filed by the applicant seeking issuance of a direction to the respondents to release his retiral benefits such as Leave Encashment, Gratuity, interest on delayed payment of Provident Fund and arrears of increment which had been granted to him from a later date as compared to the similarly situated employees.

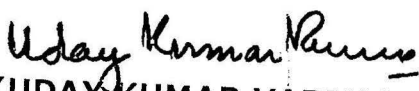
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2. In support of his claim, learned counsel for the applicant submits that the applicant served a legal notice dated 05.01.2012 (Annexure-P-2), followed by another one dated 17.06.2013 (Annexure P-3) for release of aforementioned benefits, but the same have not been decided till date. Learned counsel further submits 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 notices (Annexure P-2 and P-3).
3. In view of the limited prayer made on behalf of the applicant, there is no need to issue notice to the respondents and call for their reply as no purpose would be served if we issue notice to the respondents as the remedy envisaged under Section 20 of the Administrative Tribunals Act, 1985 adopted by the applicant by service of legal notice is yet to see the light of the day and sufficient time has passed, therefore, no prejudice would be caused to the respondents in disposal of the present O.A. at the admission stage itself as they are under obligation to take a decision on the grievances brought to their notice by the aggrieved persons.
4. Accordingly, the O.A. is disposed of, without going into the merits of the case, with a direction to the Competent Authority amongst the respondents to consider and take a view on the

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legal notices (Annexures P-2 and P-3) by passing a reasoned and speaking order. The view to be taken by the respondents shall be communicated to the applicant.

5. Let the above exercise be carried out within two months from the date of receipt of a copy of this order. If the applicant is found to be entitled to the benefits, the same may be released to him expeditiously. No costs.


(UDAY KUMAR VARMA)
MEMBER (A)

PLACE: Chandigarh
Dated: 04.08.2014

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(SANJEEV KAUSHIK)
MEMBER (J)