

**Central Administrative Tribunal
Principal Bench**

OA No. 34/2017

New Delhi this the 18th day of July, 2017

Hon'ble Mr. K.N. Shrivastava, Member (A)

Bhule Singh, Age 72 years,
S/o Late Ami Chand,
R/o H.No.266, Harijan Basti,
Gali No.2, Village & Post Office Khampur,
Delhi-110036
Conductor B.No.6078, Group 'C'
ATI Token No.16089

- Applicant

(By Advocate: Mr. B.N. Gaur)

-Versus-

1. Delhi Transport Corporation,
Through its Chairman-cum-Managing Director,
IP Estate, New Delhi
2. The Depot Manager,
BBM Depot,
Delhi Transport Corporation,
New Delhi

- Respondents

(By Advocate: Mr. Anurag Sharma for Ms. Ruchira Gupta)

ORDER (Oral)

The applicant retired from the post of ATI on 31.01.2005 from the respondent organization - Delhi Transport Corporation (DTC). He was an optee of DTC Pension Scheme. He, vide his letter dated 12.05.2006 addressed to the Depot Manager, BBN Depot, Delhi, had requested that although he had opted for the Pension Scheme but was not interested in receiving pension and that he may be released the employer share of his Central Provident Fund (CPF). Learned counsel for the respondents submits that the said request of the applicant had been rejected by the respondents in that year itself, i.e., 2006.

2. The applicant, in this OA, has prayed for a direction to the respondents to release his pension from 31.01.2005 with interest.

3. It is seen from the records that the respondents, vide their letter dated 10.02.2006 (pg. 14), had called upon the applicant to come to the office and submit the pension form for further action. But there has not been any response from the applicant. The respondents had sent several letters/reminders on this issue to the applicant in the past.

4. It is also seen from the ordersheets that on many dates, when the case was listed, the applicant did not turn up nor anybody represented him, e.g. 05.01.2017, 25.01.2017, 16.03.2017. Today also, there is none for the applicant.

5. As is clear from the records, the respondents are prepared to sanction pension to the applicant for which certain documentary formalities ought to be completed by the applicant in which he has been miserably failing. None prevents him for approaching the respondents and getting his pension sanctioned after completion of the documentary formalities.

6. In view of the facts mentioned in the foregoing paras, this OA is dismissed for default and non-prosecution and also on merit. The applicant is at liberty to go to the respondents, complete the documentary formalities and get his pension sanctioned by them for which the respondents have exhibited their willingness several times.

(K.N. Shrivastava)
Member (A)

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