

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A No. 99/2016

New Delhi this the 8th day of January, 2016

Hon'ble Mr. Justice B. P. Katakey, Member (J)

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

Shri N. K. Taneja aged about 66 ½ years

S/o. Late Shri K. C. Taneja

Presently superannuated w.e.f. 31.12.2008

while last posted as Executive Engineer (Electrical) Group 'A'

Gazetted Cadre on attaining the age of superannuation

in Delhi Central Electrical Circle V CPWD East

Block-III Level-5, R. K. Puram, New Delhi

Ministry of Urban Development New Delhi

R/o. A-191, Sector-43, Noida

(Gautam Budha Nagar)

....Applicant

(By Advocate : Mr. V. P. S. Tyagi)

Versus

1. The Union of India (Through Secretary)
Ministry of Urban Development
Nirman Bhawan, New Delhi-110 108.

2. The Director General of Work's
CPWD, Nirman Bhawan,
Maulana Azad Road, New Delhi.

3. The Superintending Engineer
DCEC-V CPWD East Block-III
Level-5, R. K. Puram, New Delhi-66.

4. Pay & Accounts Office (NZ)
Ministry of Urban Development,
East Block, Level-6,
R. K. Puram, New Delhi-66.

...Respondents

O R D E R (O R A L)

Hon'ble Mr. Justice B. P. Katakey, Member (J)

Heard Mr. V. P. S. Tyagi, learned counsel for the applicant.

2. The applicant has filed the present O.A praying for a direction to the respondent-authorities to release the withheld pension for the period of five years contending inter alia that since the period of withheld is over, the amount withheld has to be refunded to the applicant, which has not been done.

3. It appears that the applicant sent a legal notice to the respondents no. 1, 2 & 3 and also to the Senior Accounts Officer claiming refund of the said amount, pursuant to which the Sr. Accounts Officer has replied vide communication dated 08.12.2014 that release of the withheld pension will be dependent on the appropriate order that may be passed by the administrative authority of the department. No response, however, has been received from the Secretary, Ministry of Urban Development by the applicant so far.

4. Having regard to the aforesaid position, we dispose of the O.A allowing the applicant to file a fresh representation before the Secretary, Ministry of Urban Development, Government of India within a period of one week from today with the further direction that in the event of filing the same, it would be disposed of by a speaking order by the Secretary within 60 days thereafter. The order that may be passed shall immediately be communicated to

the applicant so that if he has still grievance he may approach the appropriate forum.

5. The O.A is accordingly disposed of. No costs.

(K. N. Shrivastava)
Member (A)

(Justice B.P. Katakey)
Member (J)

/Mbt/