Central Administrative Tribunal
Principal Bench

OA-534/2018

New Delhi, this the 06ᵗʰ day of February, 2018

Hon'ble Mr. Uday Kumar Varma, Member (A)

Jai Bhan, Conductor, B.No. 15108, SPD, Group-'C',
S/o Late Sh. Om Prakash, aged about 60 years,
r/o Village Nasirpur, PO Ratdhana,
District Sonepat, Haryana.   ...   Applicant

(By Advocate: Ms. Komal Aggarwal for Sh. Anil Mittal)

Versus

Delhi Transport Corporation,
IP Estate,
New Delhi-110002.
(Through Chairman-Cum-Managing Director)   ...   Respondents

ORDER (ORAL)

It is contended inter alia that the respondents have fixed the pension of the applicant on his retirement in an erroneous manner. They have disregarded the Labour Court's decision about continuity of service and have not taken into consideration this aspect while fixing this pension. It is further contended that an amount of Rs. 1,17,254/- was earlier recovered from the applicant on account of excess payment of gratuity. It is submitted that such a recovery was against law. It is the prayer of the applicant that his pension may be fixed after taking into consideration his continuity in service as directed by the Labour Court and the excess amount recovered from him by way of gratuity may be returned.

2.   It is seen from the record that the applicant has not approached the respondents in this matter. It is the submission of the applicant that he may be permitted to approach the respondents with a representation and the

respondents may be directed to dispose of his representation in a time bound manner.

3.   In view of this prayer, the applicant is given liberty to make a representation to the Chairman-cum-Managing Director, Delhi Transport Corporation (DTC) in this respect and the Chairman-cum-Managing Director, DTC is further directed to dispose of his representation, if made within fifteen days from today and decide the same as per law within two months thereafter. Needless to add that such a direction does not, in any way, reflect my opinion on the merits of the case. OA is accordingly disposed of.

(Uday Kumar Varma)
Member (A)

/ns/