

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.3340/2016

This the 10th day of March, 2017

Hon'ble Mrs. Jasmine Ahmed, Member (J)

Shri K.D.Veer Aged 59 Year, 11 Months
S/o Lt. Sh. Rameshwar Prasad,
Retired as Principal
From Kendriya Vidyalaya Sangathan,
R/o H-1B,9/1, Akash-IV,
Sec 3, Rajendra Nagar
Sahababad Distt.
Ghaziabad (UP).

.... Applicant

(By Advocate: Shri Yogesh Sharma)

Versus

1. Kendriya Vidyalaya Sangathan,
Through the Commissioner,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi.

2. Joint Commissioner (Finance),
Kendriya Vidyalaya Sangathan,
Through the Commissioner,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi.

.... Respondents

(By Advocate: Shri S.Rajappa)

ORDER(ORAL)**By Hon'ble Mrs.Jasmine Ahmed, Member(J)**

At the outset, it is contended by the learned counsel for the applicant that the applicant, who was retired as Principal from Kendriya Vidyalaya Sangathan on 30.11.2015, without any rhyme or reason has not yet been received any pension or pensionary benefits from the respondent – department. It is specifically contended by the counsel for the applicant that neither there was any complaint, nor suspension or any disciplinary action against the applicant on the date of retirement or till date, even then the respondents have not yet released pension or pensionary benefits to the applicant.

2. Learned counsel for the applicant drew my attention to page No.2 of the counter affidavit filed by the respondents wherein at para 4 it is categorically stated *"As such, the Commissioner decided for not taking any further action in this matter against Shri K.D.Veer. In view of the decision of the Competent Authority, the case against Shri K.D.Veer, Principal (Retd.) has been treated as closed. This development has been conveyed to all the concerned Officers of KVS, including Finance Wing, vide letter dated 17.10.2016 for further necessary action"*.

3. Learned counsel for the applicant states that when the matter has been closed, it is not understandable why the respondents are taking long time for releasing the pension and pensionary benefits in favour of the applicant.

4. Learned counsel for the respondents very fairly drew my attention to last three lines of para 5 of the counter affidavit which is a decision of the Commissioner dated 17.10.2016 (page No.4), which reads as under:

“However, the Commissioner, taking a lenient view, has decided not to take any action in this matter and the case against Shri K.D.Veer has been closed. Thus, the applicant is now entitled for all retirement benefits.”

5. Taking into consideration the statements made in the counter affidavit filed by the respondents and also the submission of Shri S.Rajappa, learned counsel for the respondents, I feel that there is no reason left with the respondents to delay in releasing the pension and pensionary benefits to the applicant. Accordingly, the respondents are directed to release the pension/pensionary benefits in favour of the applicant within a period of 15 days from today as per rules.

6. The OA is allowed. No costs.

(JASMINE AHMED)
Member(J)

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