

**Central Administrative Tribunal
Principal Bench**

OA No.2894/2017

New Delhi, this the 9th day of March, 2018

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

Narendra Kumar Arora Retired AE (Civil)
Age 61 years, Office of Garrison Engineer (North)
MES, Meerut Cantt.
S/o Late Hans Raj, r/o 149/6
Shastri Nagar,
Meerut 250004, UP.

.... Applicant.

(Applicant in person)

Vs.

1. Union of India through the Secretary
Ministry of Defence, Govt. of India
New Delhi 110 001.
2. Engineer-in-Chief, Army HQ,
E-in-C's Branch, Kashmir House,
Raja Ji Marg, New Delhi 110 011.
3. Central Records Office (Officers)
E-in-C Branch, Delhi Cantt-10,
PIN 900106, C/o 56 APO.
4. Controller General Defence Accounts
Office of CGDA, Ulan Batar Road,
Palam, Delhi Cantt 110 010.
5. Garrison Engineer (North)
Office of Garrison Engineer (North)
MES, Meerut Cantt.

.... Respondents

(By Advocate: Shri R.K. Sharma)

:O R D E R (ORAL):

The applicant retired from service of respondent-Military
Engineering Service (MES) on 31.07.2016 from the post of

Assistant Engineer. As per the list of dates and events mentioned in the OA, PPO dated 01.07.2016 was issued by the competent authority for payment of retiral benefits of the applicant on retirement. The applicant has not explained anywhere in the OA as to why benefits flowing from this PPO were not released to him. It is noticed that after the implementation of 7th CPC, a revised PPO dated 10.11.2017 has been issued commensurate with which all the retiral dues of the applicant have been released. The applicant submits that such benefits were released to him in terms of the revised PPO on 29.12.2017 i.e. after a delay of about 17 months.

2. The applicant has claimed interest on the delayed release of the retiral benefits. Obviously, these benefits have been released to him during the pendency of the OA. The applicant, however, in rejoinder has mentioned that the leave encashment released to him is short by six days. Accordingly, the applicant has claimed for release of leave encashment for six days as well as interest on the delayed release of his retiral benefits. He, however, has failed to explain as to why he did not claim the retiral benefits in pursuance of the PPO dated 01.07.2016.

3. The fact of the matter is that during the pendency of the OA, all the retiral dues of the applicant have been released to

him except that the leave encashment benefit released is short by six days. Under these circumstances, I consider it appropriate to dispose of this OA, at this stage, according to the liberty to the applicant to submit an application to the respondents regarding his residual claims which should be considered by the respondents in a time bound manner. Accordingly, this OA is disposed of in the following terms:-

- (i) The applicant shall make a fresh representation to the respondents regarding his residual claims within a period of 15 days from today.
- (ii) The respondents on receipt of the representation of the applicant shall grant due consideration to it and dispose it of within a period of two months thereafter by way of passing a reasoned and speaking order.
- (iii) The applicant shall have the liberty to take appropriate remedial measure as available to him under law, in case he remains dissatisfied with the order to be passed by the respondents.

(K. N. Shrivastava)
Member (A)

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