

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

OA 3615/2015

the 1st day of October, 2015.

**Hon'ble Mr. Justice Syed Rafat Alam, Chairman
Hon'ble Mr. P.K.Basu, Member (A)**

Mukesh Kumar Jain
Retired as Statistical Assistant)
S/o Shri S.P.Jain
Aged 60 years
R/o 2653, Gali No.6
Bihari Colony
Shahdara, Delhi - 32 Applicant

(By Advocate: Shri Shrigopal Aggarwal)

VERSUS

1. NDMC
Commissioner (North)
NDMC
Civic Centre, North Delhi Municipal Corporation
J.L.Nehru Marg, Minto Road
New Delhi -02 Respondent

(By Advocate:Shri R.N.Singh)

Order (Oral)

By Hon'ble Mr.Justice Syed Rafat Alam, Chairman

In the instant application, the short grievance of the applicant is that he retired from service on 31.03.2015 after having rendered 41 years of service but his pension and retiral dues have not been paid despite his representations. He further states that he made two representations i.e. 24.07.2015 and 29.07.2015 and the same have been replied by the respondents vide its order dated 18.05.2015 and 02.09.2015. From the perusal of reply given, it appears that his matter is under examination before the Accounts branch. He further submitted that pension and retiral dues are

not bounty and the respondents are duty bound to pay the same immediately after retirement. The learned counsel for the applicant further drew our attention to the office order dated 28.04.2014 and submitted that the payment pursuant to this order has not been made to him.

2. On the other hand, Shri R.N.Singh, learned counsel for the respondents pointed out that since the applicant has been absented from duty for 8 years 6 months and 14 days his dues could not be calculated and the process is likely to take some time. He further states that the final decision in respect of payment of retiral pension dues will be taken within two months.

3. In view of the aforesaid submissions and also looking to the facts of the case, we dispose of the OA at this stage with direction to the respondents to examine the matter in respect of payment of retiral dues and pension within a period of two months from the date of receipt of certified copy of this order. We also provide that in the event it is found that retiral dues for fixation of pay cannot be made due to some impediment the respondents will pass reasoned and speaking order and intimate the same to the applicant. However, if the amount of retiral dues and pension is fixed, the same shall be given to the applicant immediately after the decision is taken with the above order.

With the above order, we disposed of this OA.

(P.K.Basu)
Member (A)

(Syed Rafat Alam)
Chairman

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