

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

OA NO.2954/2016

NEW DELHI THIS THE 25TH DAY OF JULY, 2018

HON'BLE MR. PRADEEP KUMAR, MEMBER (A)

Nawal Singh, age 63 years,
S/o late Sh. Sher Singh,
R/o House No.35,
Sita Puri Near Police Station Dabri,
New Delhi-110045. ...Applicant

(By advocate: Mr. Pankaj Jain)

VERSUS

1. Delhi Development Authority
Through the Vice Chairman,
Horticulture Department,
Vikas Sadan, I.N.A.,
New Delhi-110023.
2. The Deputy Director(Horticulture)
Delhi Development Authority
Horticulture Division No.III
B-2-B, Janakpuri, New Delhi. ...Respondents

(By Advocate: Mr. Arun Birbal)

:ORDER (ORAL):

Heard learned counsel for both the parties.

2. The counsel for the applicant mentioned that the case pertains to non-payment of pension by the respondents. The applicant had retired from service on 30.11.2013. The respondents, on that day, had calculated that a sum of Rs.6,87,221/- was paid in excess to the applicant and the same

was required to be deposited back by the applicant. The respondents informed that a sum of Rs.91,484/- was due to the applicant by way of gratuity and a sum of Rs.1,82,970/- was due to him as arrears of pension and, accordingly, an amount of Rs.4,12,765/- was still due to be refunded by the applicant to the respondents. At this stage, an option was given to the applicant to either pay the above said amount of Rs.4,12,765/- to DDO and start getting the pension or DDO would have to recover that amount from the pension of the applicant and in follow up thereof the pension amount was not paid as this amount was to be recovered.

3. The counsel for applicant mentioned that applicant is ready to pay the amount of Rs.4,12,765/- to the respondents and, thereafter, respondents also agreed to release the entire pension. He also mentioned that respondents had given two options to the applicant, one that this amount of Rs.4,12,765/- shall be deposited by the applicant to the DDO in one go or the same shall be recovered from the arrears of pension etc. During the hearing, the respondents had also agreed that whatever was due shall be paid to the applicant and the due pension payment will start.

4. Accordingly, the OA is disposed of with a direction to the respondents that the amount of Rs.4,12,765/- should be recovered and the entire balance dues along with the pension should be released forth with to the applicant within a period of

six weeks from the date of receipt of a copy of this order. In case, the benefits are not released, the applicant shall be at liberty to approach the Court again.

**(PRADEEP KUMAR)
MEMBER (A)**

/jk/