

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.063/00789/2018

Chandigarh, this the 11th day of July, 2018

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**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)**

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Lekh Ram Sharma son of late Shri Gokal Ram Sharma aged about 67 years R/o Village and Post Office Chalehli – 174003 Tehsil Ghumarwin District Bilaspur Himachal Pradesh

....Applicant

(Argued by: Mr. Avneesh Bhardwaj, Advocate)

Versus

1. Union of India through its Secretary Defence, Ministry of Defence, South Block, Cabinet Secretariat, Raisina Hill, New Delhi – 110011.
2. The Controller General of Defence Accounts Ulan batar, Palam Delhi Cantt – 110010.
3. The Principal Controller of Defence Accounts (Pensions) Draupadi Ghat Allahabad, Uttar Pradesh.- 211014.
4. State Bank of India Hamirpur Branch through its chief Manager, District Hamirpur Himachal Pradesh – 177001.

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Respondents

**ORDER (Oral)
SANJEEV KAUSHIK, MEMBER (J)**

1. Applicant Lekh Ram, a pensioner, is before this Tribunal, seeking issuance of a direction to the respondents to release arrears of his pension for the period from 01.11.2013 to 15.01.2015, along with interest thereon.
2. Learned counsel submitted that at the relevant point of time, the applicant did not submit the Life Certificate, which is must for disbursement of pension, and his pension, therefore, was not released. However, subsequently, when he submitted the necessary Life Certificate, he started receiving his pension, but he has not been granted pension for the period 01.11.2013 to

15.01.2015. Learned counsel submitted that the applicant served a legal notice (Annexure A-1) on the respondents to grant the relevant benefit, which has been forwarded to Respondent No. 3, vide letter dated 09.02.2018 (Annexure A-2), but no reply has been received till date. Learned counsel argues that when he has submitted the necessary certificate (though lately) to the effect that he is alive, though lately, and presently also he has been receiving pension, then he is entitled to be paid arrears of the pension for the indicated period. He prays that the respondents be directed to pay him the arrears of pension, on the basis of documents, subsequently submitted by him.

3. In view of the above, we are of the view that when the applicant has submitted the proof of his being alive, and he has been getting pension thereafter, the respondents cannot deny him pension for the earlier period i.e. 01.11.2013 to 15.01.2015. Therefore, this O.A. is disposed of, in limine, to consider the claim of the applicant for grant of pension for the indicated period, within a period of 30 days, from the date of receipt of a certified copy of this order, and the due payment be made within 15 days thereafter.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 11.07.2018

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