

**SIN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No. 21/1122/2018

Date of Order: 03.01.2019

Between:

S. Ayub Basha, S/o. Syed Gaffor,
Aged about 56 years, Group A,
Occ: Retired Superintending Engineer (Civil),
Flat No. 204, Marvel Mansion, 12-2-828,
Amba Gardens, Mehdiapatnam, Hyderabad – 500 028.

... Applicant

And

1. Union of India, Rep. by its Secretary,
Dept of Telecommunications,
Sanchar Bhavan, Ashok Road,
New Delhi – 110 001.
2. Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
BSNL Bhavan, New Delhi – 110 001.
3. Chief General Manager,
BSNL, Assam, Guwahati – 361 001.
4. Chief Engineer (Civil),
BSNL, 6th Floor, BSNL, Admn. Building,
Pan Bazar, Guwahati – 351 001.
5. Chief Controller of Accounts,
Dept of Telecommunications,
Assam Circle, Guwahati – 361 001.

... Respondents

Counsel for the Applicant	...	Mr. M.V. Krishna Mohan
Counsel for the Respondents	...	Mrs.A.P. Lakshmi, SC for BSNL
		Mrs. K. Rajitha, Sr. CGSC

CORAM:

<i>Hon'ble Mr. B.V. Sudhakar</i>	...	<i>Member (Admn.)</i>
---	-----	------------------------------

ORAL ORDER

{As per Hon'ble Mr. B.V. Sudhakar, Member (Admn.) }

2. The issue in question is in regard to release of terminal benefits namely GPF, CGEIS, GSLI and the pay of the applicant for the period from 09.02.2013 to 28.02.2013.

3. Brief facts of the case are that the applicant retired as Superintending Engineer from the respondent organization on 15.06.2013. After his retirement, since he was not granted terminal benefits, he approached this Tribunal vide OA No. 52/2014 to release the terminal benefits due to the applicant along with GPF interest. This Tribunal, vide order dated 13.10.2014, directed the respondents to release the pensionary benefits within two months and if they fail to pay the same within the stipulated period, interest at 9% per annum should be loaded on the payments due to be released to the applicant. The applicant claims that terminal benefits for the period from 09.02.2013 to 28.02.2013 have not been released despite representing to the respondents. Aggrieved over the same, the present OA has been filed.

4. Heard learned counsel and perused the documents placed on record.

5. It is seen that this Tribunal in OA 52/2014 in para 9 has clearly directed the respondents to release the pensionary benefits. The order of this Tribunal is dated 13.10.2014. It is not known as to why the respondents could not release the part of the terminal benefits for the period from 09.02.2013 to 28.02.2013. The respondents having released the terminal benefits for a major period, one cannot construe that they would have held the terminal benefits for a small

period of time as indicated in the OA. However, since the respondents have not responded to the representations of the applicant dated 16.10.2016, the applicant being a senior citizen has approached this Tribunal.

6. In view of the grievance stated by the applicant, it would be fair on the part of the Tribunal to direct the respondents to examine the claim of the applicant and release the benefits due as per the extant rules of regulations of the respondent organization within 30 days and if not, the respondents have to issue a speaking and reasoned order indicating the grounds for refusal, if any. We leave it open to the applicant to approach this Tribunal if he is still aggrieved over the response of the respondents.

7. Accordingly, the OA is disposed of, at the admission stage. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

Dated, the 3rd day of January, 2019

evr