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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH  
AN APPLICATION UNDER SECTION 19 OF THE CENTRAL  
ADMINISTRATIVE TRIBUNAL ACT.

O.A. No. 919 of 2018

In the matter of:

An application under Section 19 of  
the Administrative Tribunal Act,  
1985;

-And-

In the matter of:

Kazi Mazarul Alam, son of Kazi Manir  
Uddin Ahamed, residing at Gosarihat  
Chhits, Police Station - Dhupguri,  
District - Jalpaiguri, Pin - 735210.

....Applicant

Versus

1. Union of India, Ministry of Defense  
service through Defense Secretary,  
having its office at 104, South Block,  
New Delhi- 110011;
2. The Military Engineer, service  
through its Commander Works

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Engineer, Bengdubi, District -  
Darjeeling, Pin 734424;

3. The Directorate General(Oars) /EIC  
(4), Military Engineer Service, E- in -  
C's Branch, Army Head Quarter,  
Kashmir House, Rajaji Marg, New  
Delhi - 110011;
4. The Chief Engineer, Head Quarter  
Eastern Command, Fort Willan,  
Kolkata - 700021;
5. The Chief Engineer, Head Quarter,  
Siliguri Zone, Sebak Road, Post -  
Salugara, District - Jalpaiguri, Pin -  
734008;
6. The Garrission Engineer, Binnaguri,  
Post Binaguri, Police Station-  
Banarhat, District - Jalpaiguri, Pin -  
735203;
7. The Army Local Audit Office(FW),  
having its office at Fort Willan,  
Kolkata - 700021;

....Respondents



CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A/350/919/2018

Date of Order: 27.09.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

For the Applicant(s): None

For the Respondent(s): Mr. S. Paul, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

None appears for the applicant.

2. Heard Mr. S.Paul, Ld. Counsel for Official Respondents, and with his aid and assistance, we find that this O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- a) Order or orders directing the respondents to release the pension to the applicant forthwith as the petitioner had served the department of the respondent for thirty years without any break in service.
- b) Order or orders directing the respondent authorities to certify to this Hon'ble Tribunal records of the case as such the justice may be done.
- c) Any other appropriate order or orders as Your Lordships may deem fit and proper.

3. Brief facts of the case of the applicant is that he was appointed as a Lower Division Clerk (LDC) on 6<sup>th</sup> January 1986, on temporary basis in the Military Engineering service under Ministry of Defense on physically handicapped quota. On completion of the probationary period satisfactorily, he was appointed in permanent capacity in the grade of Lower Division Clerk on 1<sup>st</sup> April 1988. The grievance of the applicant is that although he completed thirty years of service and superannuated on 29.02.2016, his pension has still not been sanctioned.

4. Ld. Counsel for the applicant by bringing to my notice the communication dated 27.03.2018 (Annexure-A/16) submitted that although his case has been recommended to the HQ, Eastern Command, Engrs. Branch by the Lt. Col, G.E.Binnaguri, till date nothing has been communicated to him.

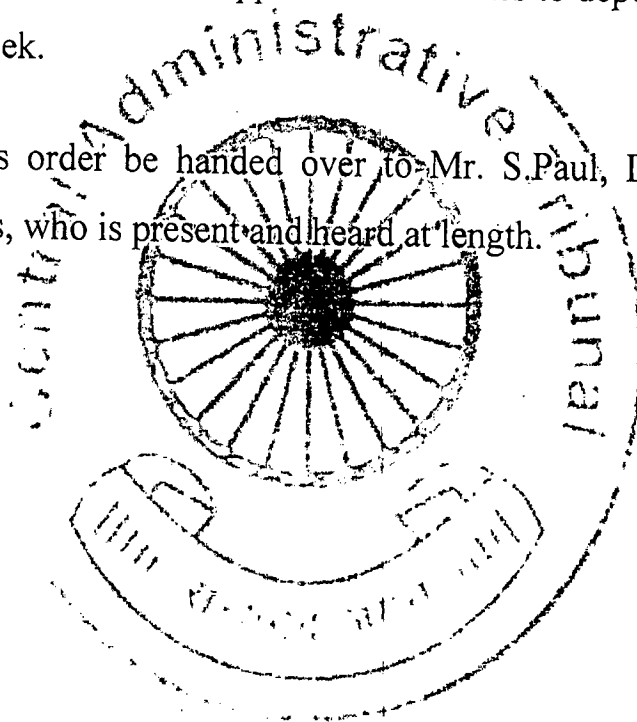
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5. After hearing Ld. Counsel for the parties, without entering into the merit of the matter, I dispose of this O.A. by directing the concerned authority, i.e. Respondent No.4 to act upon the letter dated 27.03.2018 (Annexure-A/16) and communicate the result thereof to the applicant within a period of six weeks from the date of receipt of this order. We make it clear that if after such consideration the applicant's grievance is found to be genuine and he is otherwise found to be eligible and entitled to get the pension then expeditious steps be taken within a period of further four weeks to grant him pension.

6. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

7. Copy of this order, along with paperbook, be sent to Respondent No.4 by speed post for which Ld. Counsel for the applicant undertakes to deposit the cost with the Registry within a week.

8. Free copy of this order be handed over to Mr. S.Paul, Ld. Counsel for the Official Respondents, who is present and heard at length.



(A.K Patnaik)  
Member (J)