

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**CP-410/2018 in
OA-1208/2015**

New Delhi, this the 01st day of April, 2019

Hon'ble Sh. V. Ajay Kumar, Member(J)
Hon'ble Sh. A.K. Bishnoi, Member(A)

Ajay Kumar aged about 28 years,
S/o late Sh. Sewa Dass Ex LDC,
R/o VPO Dangoh, Tehsil-Amb,
District-Una, Himachal Pradesh. ...Petitioner

(None)

Versus

Ms. Aruna Sundararajan
Chairman TC & Secretary (T)
Ministry of Telecommunication & IT,
Through Department of Telecommunication,
Sanchar Bhawan, 20 Ashoka Road,
New Delhi-110001. ...Respondent

(through Sh. Subhash Gosain)

ORDER(ORAL)

Hon'ble Sh. V. Ajay Kumar, Member (J)

None for the applicant.

2. OA No. 1208/2015 filed by the applicant was disposed of by
the Tribunal on 11.05.2017 as under:

“10. Since the 3rd document filed by the applicant states that whenever the original PPO will be available, he will surrender the same and in view of the fact that all the documents have been provided by him, the fact that the FIR had not been lodged by them cannot be a ground to deny family pension to the applicant from 02.01.1994. The OA is, therefore, allowed. The respondents shall comply with the order within a period of 90 days from the date of receipt of a certified copy of this order.

11. The learned counsel for the applicant also stated that the applicant has also prayed for interest for the delayed payment. However, I do not find any mala fide or deliberate attempt on the part of the respondents to delay the payment as that could be paid only on availability of all relevant documents. Therefore, prayer for interest is not allowed. No order as to costs.”

3. The respondents filed compliance affidavit on 28.01.2019 vide diary number 857. As the same is not available on record, learned counsel for the respondents supplied two copies of the said compliance affidavit in which it is mentioned as under:

“2. That it is most humbly submitted that the respondent vide order dated 03.10.2017 (Annexure CA/1) conveyed approval of the competent authority for implementation of this Hon’ble tribunal order dated 11.05.2017 passed in OA No. 1208/2015, by paying arrears of pension from 02.01.1994 to 07.03.2007 amounting to Rs. 2,86,310/- and requested AO(PFP) for effecting the above payment. Further PFP section was requested vide letter dated 27.07.2018 (Annexure CA/2) to intimate the action taken vide order dated 03.10.2017. In response PFP section vide letter dated 27.07.2018 (Annexure CA/2) has intimated that the order dated 03.10.2017 was received by them for payment of arrear to the applicant, but due to rush of revision of pension cases under 7th CPC, action on the same could not be taken, however, now the sanction for the same vide order dated 26.07.2018 (Annexure CA/2) and the amount has already been transferred in the bank account of the applicant.”

The respondents have also enclosed the necessary orders referred to in paragraph 2 quoted above along with the said compliance affidavit.

4. In the circumstances and in view of the substantial compliance of the orders of this Tribunal, the CP is closed. Notices issued to the alleged contemnors are discharged. No costs.

(A.K. Bishnoi)
Member(A)

(V. Ajay Kumar)
Member(J)