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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A. NO. 2028/2003

Wednesday, this the 19th day of November, 2003

HON'BLE MR. SARWESHWAR JHA, MEMBER (A)

Krishan Pal Singh, Ex-Asstt.,  
M.S.O. Dte. G.H.S.

... Applicant

(None for applicant)

Versus

1. The Secretary (Health) to the  
Govt. of India,  
Ministry of Health & Family Welfare,  
Nirman Bhawan, New Delhi - 110 001
2. The Director General Health Services,  
Dte. G.H.S., Nirman Bhawan, New Delhi-110 001
3. The Director Admn. (H.Q.),  
Dte. G.H.S., Nirman Bhawan,  
New Delhi - 110 001
4. The Deputy Director Admn.,  
M.S.O. Dte. G.H.S.  
West Block-1, Wing No: 6,  
R.K. Puram, New Delhi
5. PAO (MSO) PAO Officer,  
Safdurjung Hospital, New Delhi

... Respondents

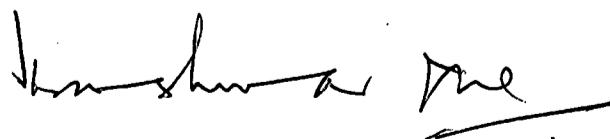
(By Advocate : Shri R.N. Singh)

O R D E R (ORAL)

Heard learned counsel for the respondents.


2. The applicant has preferred this Original Application seeking payment of the retiral benefits on his having retired voluntarily w.e.f. 2.5.2003 vide orders of the respondents dated 8.5.2003 (Annexure -3). It is observed that the applicant has preferred this OA immediately after his retirement.

3. The learned counsel for the respondents, inviting attention to the written reply filed by them in the matter, has submitted that the details of the works which have been done by the them in this regard are given in paragraphs 1,



2, 3 and 4 followed by para-wise details of their reply. On perusal of the written reply of the respondents, it is observed that the applicant retired after having sought voluntary retirement under Rule 48-A of the CCS (Pension) Rules, 1972. He, however, remained absent from his duties for about 10 months which constituted a major part of his stay in the respondents-organisation, which led to the delay in processing and finalising his pension case, because it involved regularisation of his absence period with reference to the relevant rules. It is also observed from the reply that the applicant has not given the minimum three months' or six months' time, as the case may be, to the respondents to process and finalise his pension papers. It is also observed that the respondents raised some observations 2-3 times and his pension papers were accordingly returned to him for doing the needful, which took considerable time.

4. It is further observed that the fact that the amount standing at the credit of the applicant in his GPF Account having already paid to him vide cheque dated 14.8.2003 on 25.8.2003 has not been brought to the notice of the Tribunal. It is also observed that the applicant has served a legal notice on the respondents, even though he himself caused the delay in processing and finalising the case, which was replied to by the respondents vide their letter dated 19.6.2003 (Annexure R-II). He, therefore, submitted that the applicant has thus indulged in unnecessary litigation, thereby burdening the respondents' functioning unnecessarily.

A handwritten signature in black ink, appearing to be 'J. S. Sharma', with a horizontal line underneath it.

5. In his oral submissions, the learned counsel for the respondents, therefore, contended that this Original application is without any cause of action and also that the applicant has concealed some significant informations in the matter of his pension and other retiral benefits having been processed, his GPF having been paid and also his legal notice having been replied to. Accordingly, he has taken a position that the Original Application is devoid of any merit and deserves to be dismissed. He further submitted, though not formally conveyed to him in writing by the respondents, that he has been informed by the respondents over telephone that the orders of payment in respect of some of the items relating to the retiral benefits have already been finalised/issued by the respondents in the meantime.

6. Having considered the factual submissions made by the learned counsel for the respondents and the pleadings available on record, particularly the fact that the applicant retired only in the month of May, 2003 and has filed this OA in the month of August, 2003, thus giving very little time to the respondents to process and finalise his case as also the fact that some of the payments have already been made or are in the process of being made, I am of the opinion that the OA does not have the requisite merit for being allowed. I, therefore, proceed to dispose of the OA under Rule 15 of the CAT (Procedure) Rules, 1987, with a direction to the respondents to expedite payment of the remaining amounts in regard to the retiral benefits pertaining to the applicant. They will ensure that the exercise regarding payment of the retiral benefits is

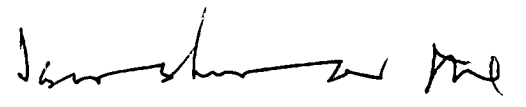


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completed within six weeks from the date of receipt of this order.

7. Keeping in view the fact that the co-operation of the applicant is required in the finalisation of the pension papers, it is further directed that the applicant shall extend necessary assistance to the respondents, if required by them, in the matter.

8. With the above, the OA stands disposed of in terms of the directions given above with no order as to costs.

  
(SARWESHWAR JHA)  
MEMBER (A)

/pkr/