

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 54/2005
OA 1944/2003

New Delhi, this the 25th day of October, 2005

HON'BLE MR. V.K. MAJOTRA, VICE-CHAIRMAN (A)
HON'BLE MR. MUKESH KUMAR GUPTA, MEMBER (J)

Harsh Rani,
W/o Late Ravi Dutt Sharma,
Qr. No.125/15, Sector-I,
Pushp Vihar, New Delhi.

....Applicant.

(By Advocate Shri S.K. Das)

VERSUS

Sh. Chhotte Lal
Executive Engineer (Electronics)
PWD Division-I, 10th Floor,
M.S.O. Building, I.P. Estate,
New Delhi.

...Respondent.

(By Advocate Shri Ajesh Luthra)

O R D E R (ORAL)

By Shri V.K. Majotra, Vice-Chairman (A):-

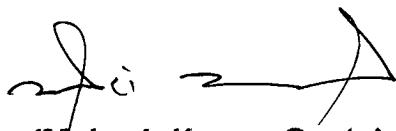
Heard the learned counsel.

2. Learned counsel for applicant admitted that applicant has been paid leave encashment, GPF as well as arrears of pay. However, he has not been paid the pension and gratuity. As regards the gratuity, learned counsel for respondents handed over the PPO dated 07.10.2005 to the learned counsel for applicant in the Court. He further explained that a sum of over Rs.2.00 lakhs is due against the applicant in regard to licence fee for the government accommodation. He provided a copy of respondents' letter dated 29.9.2005 stating that against the aforesaid dues they have been able to recover a sum of Rs.55,632/- only in lieu of licence fee from the gratuity admissible to the applicant. Thus learned counsel stated that nothing is required to be paid by the respondents to the applicant. In

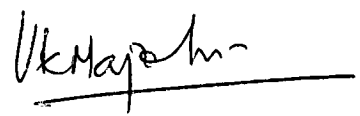
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response, learned counsel for applicant stated that respondents have not issued a show cause notice to the applicant. In our view this is contentious issue, which constitutes a separate cause of action, otherwise Tribunal's directions have been complied with.

3. In the above backdrop CP is dropped. Notices to the respondents are discharged with liberty to the applicant to resort to legal proceedings, if any dues are still unpaid according to her.


(Mukesh Kumar Gupta)
Member (J)

/gkk/


(V.K. Majotra)
Vice-Chairman (A)
25.10.05