

(2020) 08 CAT CK 0088

In the Central Administrative Tribunal

Case No : Original Application No. 1169 Of 2020

K.L. Pruthi

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 28-08-2020

Acts Referred:

Citation : (2020) 08 CAT CK 0088

Hon'ble Judges : L. Narasimha Reddy, J; Mohd. Jamshed, Member (A)

Bench : Division Bench

Advocate : S S Tiwari, S N Verma

Final Decision : Disposed Of

Judgement

L. Narasimha Reddy, J

1. In the normal course, this OA is liable to be dismissed on the grounds of laches. However, in view of some correspondence, we dispose of the same with directions.

2. The applicant initially joined the service of the Central Public Works Department (CPWD) in the year 1961, and thereafter joined the Military Engineering Services (MES) in 1966. He left that Organization also in the year 1982 and joined Indian Tourism Development Corporation (ITDC) as Superintending Engineer. He thereafter joined National Building Construction Company (NBCC) in the year 1990. He is said to have retired in that Organization in the year 1999.

3. The applicant contends that he is entitled to be paid the pro-rata pension by the MES, the 2nd respondent herein and it is not being released . He seeks a direction in this behalf.

4. We heard Mr. S.S. Tiwari, learned counsel for applicant and Mr. S.N. Verma, learned counsel for respondents through video conferencing.

5. The applicant left MES way back in 1982, i.e., 38 years ago. It is just not understandable as to how he kept quiet for all these years. Even from NBCC, he retired 21 years ago. On the face of it, the claim of the applicant is stale and barred by laches, if not limitation. However, since there does not appear to be the required amount of clarity on this issue, we dispose of the O.A. with a direction to the respondents to inform the applicant as to his entitlement or otherwise as regards the pro-rata pension. We make it clear that in the event of the applicant being entitled to it, he shall not claim any interest thereon. We also make it clear that this shall not be treated as any direction for payment of pension, if it is not otherwise payable.

There shall be no orders as to costs.