

Thank you

[Sp1/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/ 499 /2017
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : 27 JAN 2017

**ORIGINAL APPLICATION NO. 571 OF 2016.
(Sub :- Retirement Dues and Pay Pension)**

1. Shri Chandrakant K. Yerunkar,
R/o. Shri Ganesh Society, Umesh Nagar, Room No.5, Retibundar Cross
Road, Dombivali (W), Dist. Thane.

....APPLICANT/S.

VERSUS

- 1 The Commissioner/Director (Admi) E.S.I.S., Having Office at Panchdeep Bhawan, 6th Floor, N.M. Joshi Marg Lower Parel, Mumbai-13.
- 2 The Medical Superintendent, ESIS Hospital, Satpur, Trymbak Road, Nasik.

...RESPONDENT /S

Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 25th day of **January, 2017** has made the following order:-*

APPEARANCE : Shri B.A. Bandiwadekar, Advocate for the Applicant.
Shri N.K. Rajpurohit, C.P.O., for the Respondents.

CORAM : **HON'BLE SHRI R.B. MALIK, MEMBER (J).**

DATE : **25.01.2017.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

Research Officer
27/1/2017

**Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.**

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s
(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

O.A.571/2016

Mr. C.K. Yerunkar ... Applicant

Vs.

The State of Mah. & ors. ... Respondents

Heard Mr. B.A. Bandiwadekar, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

This OA is made by a retired Ward Boy of ESIS Hospital, Satpur, Trymbak Road, Nashik. It is now not necessary for me to delve into this aspect because the learned CPO on instructions from Mr. N.D. Raut, Administrative Officer Incharge, ESIS, Nashik informs that all the dues of the Applicant have been cleared, last of them having been cleared on 18.01.2017 and credited to the account of the Applicant which includes commutation, pension and difference of pension. The gratuity had already been paid. As far as the other payments are concerned, a useful reference could be had to Para 3 of the Affidavit-in-reply on behalf of Respondents 1 & 2 at Pages 39 & 40 of the Paper Book. At this stage, Mr. Bandiwadekar rises up with permission to submit that the dates therein mentioned are being disputed. This apparently is in the context of the claim for interest apparently under Rules 129(A) and 129(B) of the M.C.S.(Pension) Rules, 1982. Now, the interest aspect of the matter will have to be left undecided as of now even as this OA will be disposed of. The Applicant may make an appropriate move in that behalf for the interest and the authorities may consider his request appropriately, but always bearing in mind the Rules 129(A) and 129(B) above referred to. Pointless protraction and obstinacy is best avoided. This OA is, therefore, disposed of having noted that the claims above referred to have been cleared and in so far as the interest is concerned, the Applicant shall make an appropriate move in that behalf and the authorities shall act as herein mentioned and do it as expeditiously as possible and at any rate within a period of two months from the receipt of the request from the Applicant for interest. No. order as to costs hereof. Hamdast.

DATE: 25/1/17

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

C.P.O./P.O. for the Respondents

Adj. To O.A. is disposed of.

TRUE COPY

Asst. Registrar
Maharashtra Administrative Tribunal
(skw)

Sd/-
(R.B. Malik)
Member (J)
25.01.2017