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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.2008/2002

New Delhi, this the 5th day of December, 2002

HON'BLE MR. M.P.SINGH, MEMBER (A)

Shri D.P. Shrivastava,
Ex.Area Manager,
Indore Telecom Distt. (Retd.),
R/o Flat No.55, Karishma Apartments,
I.P. Extn.27, Patpar Ganj,
Delhi-110092. ... Applicant
(By Advocate: Shri S.C. Luthra)

V E R S U S

Union of India, through
The Secretary,
Communication (Deptt. of Telecommunication),
Sanchar Bhawan, 20, Ashok Rd., New Delhi. ... Respondents
(By Advocate : Mrs. Promila Safaya)

O R D E R (ORAL)

Shri M.P. Singh, Member (A)

Heard both the learned counsel for the parties.

2. The applicant while functioning as Director Telecom (North Area) Bareilly was issued a Memorandum dated 24.4.1995. The applicant retired from service on 31.7.1997. After disciplinary proceedings were concluded, the President imposed 10 per cent cut in the monthly pension of the applicant for a period of two years vide order dated 19.6.2000. The applicant had preferred a revision petition on 15.2.2001 against the aforesaid order dated 19.6.2000 but the same was not entertained by the respondents vide order dated 26.7.2001 on the ground that "since the order under question has been issued under Rule 9 of CCS (Pension) Rules, 1972 and in the name of the President there does not exist any provision for departmental remedy or appeal or review to such an


[Signature]

order as the Presidential Order is absolute and final."

3. During the course of the arguments, learned counsel for the applicant has produced a copy of the judgement of this Tribunal dated 24.11.1997 in OA No.2579/1992 wherein in a similar case, the Tribunal has held that Revision Petition under Rule 29 of the CCS (CCA) Rules is maintainable. He has, therefore, submitted that the present case is covered in all fours by this judgement of the Tribunal. He has also submitted that the respondent be directed to consider and decide the applicant's revision petition dated 15.2.2001.

4. I have perused the records placed before me, I find that the present case is fully covered by the judgement of the Tribunal dated 24.11.1997 in OA No.2579/1992. In the circumstances, I, therefore, feel that the ends of justice will be duly met if a direction be issued to the respondent to consider and decide the applicant's revision petition dated 15.2.2001 by passing a speaking and reasoned order within a period of two months from the date of receipt of a copy of this order. I do so accordingly.

5. The present OA is disposed of in the aforestated terms. There shall be no order as to costs.


(M.P. SINGH)
MEMBER (A)

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