

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No.1665/2002

This the 4th day of December, 2002

Hon'ble Shri V.K. Majotra, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

Shri N.P.Tiwari
Ex. Addl. S.P.
R/o J-870, Mandir Marg,
New Delhi-110001.

(By Advocate: Ms.Lata Gangwani)

-Applicant

Versus

Union of India & Others
through

1. The Secretary
M/o Personnel, PG & Pensions
Dept. of Personnel & Training
North Block, New Delhi.
2. The Director
Central Bureau of Investigation
CGO Complex, Lodhi Road,
New Delhi.

-Respondents

(By Advocate: Shri Neeraj Goyal, proxy
for Shri Adish C. Aggarwal)

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Member (A)

Applicant challenged order dated 4.9.2001
(Annexure A-1) whereby disciplinary proceedings were
initiated against him under Rule-16 of CCS (CCA)
Rules, 1965. Applicant has sought the following
reliefs:-

"Allow the instant Original Application.

Quash and set aside the impugned order
dated 4.9.2001

Direct the respondents to release the
entire retiral benefits of the applicant
along with interest at market rate.

Direct the respondents to pay interest for
the delay of three months in release of
Provisional Pension and Gratuity.

Direct the respondents to release the
balance protion of Gratuity taking into
account 45% DA component instead of 43% DA
component, which the respondents

deliberately done.

Pass, any other further orders as deemed fit and proper in the facts and circumstances of the case in the interest of justice besides costs of this application".

2. Applicant is stated to have retired from service on attaining the age of superannuation on 30.9.2001.

3. Learned counsel of the respondents filed a copy of order dated 24.10.2002 issued by the Department of Personnel and Training stating that impugned order dated 4.9.2001 has been withdrawn and the disciplinary proceedings against the applicant have been dropped. Learned counsel, on instructions, stated that all retiral dues of the applicant shall be paid to the applicant within a period of two months along with interest at the GPF rate of interest, which is payable on DORG. According to the learned counsel of the applicant, this assurance of the respondents regarding payment of all retiral dues along with the admissible interest is acceptable to her.

4. In the light of respondents' order dated 24.10.2002, this OA has become infructuous. The applicant shall have liberty, on remaining aggrieved, on non-compliance of the assurance by the respondents.

5. The OA is dismissed as having become infructuous.


(Shanker Raju)

Member (J)

cc.


(V.K. Majotra)
Member (A)