

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No.374/2003
O.A. No.1942/2002

New Delhi, this the 19th day of November, 2003

HON'BLE SHRI V.K. MAJOTRA, VICE CHAIRMAN (A)
HON'BLE SHRI BHARAT BHUSHAN, MEMBER (J)

Shri C.L. Chimra (Retd.)
BCR Sorting Assistant
Delhi Sorting Division
R/o 1/6332-A, Street No.5
East Rohtas Nagar
Shahdara, Delhi-32.

(By Advocate: Jitender Pal Singh) ...Applicant

Versus

1. Smt. Padmabala Subramaniam,
Secretary of Department of Posts
New Delhi.
2. Smt. Jyotshna Diesh,
Chief Post Master General,
Meghdoot Bhawan,
New Delhi-110 001.
3. Sh. T. Sinha,
Director Postal Services (R),
Meghdoot Bhawan,
New Delhi-110 001.
4. Shri Om Prakash Sharma,
Senior Superintendent,
Sorting Division,
R.M.S. Bhawan,
New Delhi-110 006.

...Respondents

ORDER (Oral)

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

Heard learned counsel for the applicant.

OA-1942/2002 was disposed of by this Tribunal
vide order dated 29.07.2002 (Annexure P.1) with the
following directions:-

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"Respondents are directed to take an appropriate decision in the aforesaid disciplinary proceeding pending against the applicant which has been initiated by Memo. dated 21.9.1994 in accordance with relevant law, rules and instructions. This shall be done within three months from the date of receipt of a copy of this order, with intimation to the applicant. Further orders/decision with regard to retiral benefits shall also be passed by the respondents thereafter expeditiously in accordance with law, rules and instructions."

Learned counsel pointed out that vide Annexure P.3 dated 20.12.2002 respondents have exonerated the applicant of the charge in the disciplinary proceedings against him. Respondents have vide Annexure P-4 dated 30.6.2003 sanctioned provisional pension to the applicant instead of fixing the final pension and sanctioning the retiral benefits to the applicant.

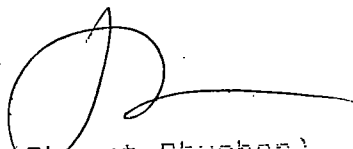
He also mentioned that the respondents had received Tribunal's order on 12.8.2002. They were supposed to take appropriate action in pursuance of the directions of this court within three months of 12.8.2002. Not only that respondents have caused some delay in concluding the departmental enquiry against the applicant having passed the final order on 20.12.2002, they have taken another six months' time in fixing the provisional pension instead of the final pension.

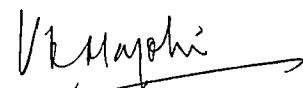
Taking into account the submission made before us on behalf of the applicant, we are of the considered view that it would be appropriate at the present juncture to allow one month's time from communication of this order to the respondents to fix

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the final pension as also release the consequential
retiral benefits to the applicant, failing which a
strict view shall be taken in the matter on being
raised before us.

CP is disposed of


(Bharat Bhushan)
Member (J)


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

J1.