

Central Administrative Tribunal
Principal Bench

OA No. 1318/2001

8
New Delhi, This the 26th day of April, 2001.

Hon'ble Sh. Shanker Raju, Member (J)
Hon'ble Sh. S.K.Agrawal, Member (A)

Sh. V.P.Bansal, A.E(Retired)
2102/1, Nai Basti Area
Narela Mandi
Delhi-110040.

... Applicant
(By Sh. Vijay Kumar, Advocate)

Versus

1. Union of India
Through
The Secretary
Government of India
Ministry of Defence
New Delhi-110011.
2. Engineer in Chief
Kashmere House
Army Headquarters
New Delhi.

.. Respondents
(By Sh. Rajeev Bansal, Advocate)

Hon'ble Sh. Shanker Raju, Member (J)

ORDER(Oral)

Against the order passed on 13.12.1999 wherein
a penalty of cut in pension of Rs.50/- per month for a
period of one year has been inflicted by the President.
Applicant has filed a revision petition on 30.10.2000.
The same is yet to be disposed of. Respondents in the
reply stated that a view of the provisions of Section
19(4) of the Administrative Tribunal Act, 1985 they
could not dispose of the revision petition.

Learned Counsel of the applicant vehemently
stressed that under Rule 9 of CCS Pension Rules 1972
before imposition of penalty of cut in pension by the
President, UPSC has not been consulted, which is
mandatory rendering the order ^lsustainable.

Having regard to the rival contention of the parties and also to the fact that revision petition of the applicant is yet not disposed of, ends of justice would be made if the OA is disposed of with the directions to respndent No.1 to dispose of the revision petition by passing a detailed and speaking order more particularly dealing with the issue of consultation of UPSC. Aforesaid order should be passed within two months from the date of receipt of the copy of this order. However, this will not preclude the applicant to take appropriate proceedings after a final order is passed by the respondents in accordance with law.

No costs.



(S.K.Agrawal)
Member (A)



(Shanker Raju)
Member (J)

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