

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

(52)

C.P. No.2/2005
OA-2030/2001
MA-521/2005

New Delhi this the 26th day of July, 2005

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

Shri M.P. Pundir,
S/o Shri Baboo Singh,
C/o Shri R.P. Singh,
4/1506, Lane No. 14A,
Shallimar Park,
Shahdara, Delhi-32.

-Applicant

(By Advocate: Shri B.S. Mainee)

Versus

Union of India

Through:

1. Shri Anil Baijal,
Secretary to the Government of India,
Ministry of Urban Development and
Poverty Alleviation, Nirman Bhawan,
New Delhi-110 001.

2. Shri B. Majumdar,
Director General (Works),
Central Public Works Department,
Nirman Bhawan, New Delhi-110 001.

3. The Secretary,
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi.

-Respondents

(By Advocate: Shri Rao Vijay Pal)

ORDER (Oral)

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

Learned counsel of the applicant pointed out that vide Tribunal's orders dated 9.9.2003 whereby OA-2030/2001 was disposed of, respondents had been directed to re-consider the aspect of punishment inflicted upon the applicant so as to impose a lesser cut in pension than what had been imposed by the impugned order in the OA.

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2. Vide order dated May 16, 2005, respondents have now on reconsideration imposed a penalty of 30% cut in pension for a period of three years. Learned counsel of applicant stated that applicant is satisfied with these orders and no grievance survives on this count. However, learned counsel of applicant pointed out that respondents have effected 30% cut on the pension of the applicant for a period of 14 months in excess of three years, as such the related amount be refunded to the applicant. The contention raised before us is justified and as such respondents are directed to refund to the applicant the 30% cut in pension inflicted upon the applicant for the period in excess of three years. This may be done expeditiously and preferably within a period of three months from today.

3. With the above observations/directions, this CP is dropped and notices to the respondents are discharged. Applicant shall have liberty to proceed as per law if any further grievance remains.

Issue Dasti.

S-Raju
(Shanker Raju)
Member (J)

cc.

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

26/7/05