

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 141 of 1998

New Delhi, dated the 14th May, 1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri B.L. Nanda,
S/o Shri Om Prakash,
Sr. Civil Engineer (Retd.),
Northern Railway,
R/o H-201, Aruna Apartments,
33, Parparganj,
Delhi-110092.

..... APPLICANT

(By Advocate: Shri S.K. Sawhney)

Versus

Union of India through
General Manager,
Northern Railway,
Baroda House,
New Delhi.

..... RESPONDENT

(By Advocate: Shri R.L. Dhawan)

J U D G M E N T

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant had sought

- (i) finalisation of departmental proceeding against him within 20 days;
- (ii) release of DCRG and commutation of pension consequent to his retirement on 31.8.97 with interest @ 12% p.a. from 1.9.97 till date of payment; and
- (iii) consideration for promotion to J.A. Grade in terms of his placement in Group 'A' vide letter dated 23.4.96.

2. Admittedly the departmental proceeding has concluded with communication of government's displeasure vide Memo dated 26.3.98.

3. Hence no orders are required on relief (i).

4. As regards relief (ii) DCRG/commutation of pension ~~the same~~ could not under rules be released till the conclusion of the Departmental Proceeding. Now that the same has been concluded by Memo dated 26.3.98 applicant's legitimate retiral dues should be released to him forthwith, if not released already, and in any case within two months from the date of receipt of a copy of this order, subject to applicant having furnished all the required particulars in the prescribed proforma.

5. As regards relief (iii) respondents will examine the claims of applicant for promotion to J.A. Grade in the light of the totality of the circumstances including communication of Govt.'s displeasure by Memo dated 26.3.98 and in accordance with rules and instructions and pass a detailed, speaking and reasoned order in accordance with rules and instructions under intimation to applicant within three months from the date of receipt of a copy of this judgment.

6. The O.A. is disposed of in terms of Paras 3, 4 & 5 above. No costs.

A. Vedaiah
(DR. A. VEDAVALU I)
MEMBER (J)

S.R. Adige
(S.R. ADIGE)
VICE CHAIRMAN (A)

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