

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A.NO.1819/98

Hon'ble Shri R.K.Ahooja, Member(A)  
Hon'ble Shri Kuldip Singh, Member(J)

New Delhi, this the 2nd day of November, 1999

Retired Sub-Inspector Balbir Singh Yadav  
No.D-593, s/o Late Shri Prem Sukh  
aged about 70 years, r/o B-29, Mansa Ram  
Park, Uttam Nagar, Najaf Garh, New Delhi... Applicant

(By Shri Shankar Raju, Advocate)

Vs.

1. Union of India through  
its Secretary  
Ministry of Home Affairs  
North Block  
New Delhi.
2. Dy. Commissioner of Police  
Special Branch  
Police Head Quarters  
I.P.Estate, M.S.O.Building  
New Delhi. ... Respondents

(By Shri Girish Kathpalia, Advocate)

O R D E R (Oral)

Hon'ble Shri R.K.Ahooja, Member(A)

The applicant took voluntary retirement from the service of Delhi Police w.e.f. 31.7.1989 (AN). He has, however, not been paid his retiral benefits on account of a departmental enquiry pending against him. The said enquiry was started in the year 1989 but has not yet been completed. The applicant has come before the Tribunal with a prayer that the aforesaid departmental proceedings be set-aside and the respondents be directed to grant all his retiral benefits along with interest at the rate of 18% per annum.

2. The respondents, in the reply, have submitted that the departmental enquiry has already been completed and the matter was referred to the

Dn

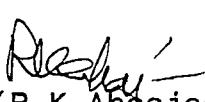
Ministry of Home Affairs on 19.1.1990 for appropriate orders from the President of India under Rule 9(2)(a) of the Central Civil Services (Pension) Rules, 1972. However, the matter is still pending with the Ministry of Home Affairs.

3. We have heard the counsel on both sides and have gone through the pleadings on record. Considering the fact that the respondents had already delayed the completion of the departmental enquiry and according to the respondents the matter has been pending with the Ministry of Home Affairs nearly for the last nine years, the respondents cannot ~~further procrastinate by~~ ~~hang the enquiry and~~ delay the release of retiral benefits to the applicant.

4. Accordingly, we dispose of this OA with a direction that the respondents will pass a final order within three months from the date of receipt of a copy of this order. In case they fail to pass the final orders during the aforesaid period, the departmental proceedings will be deemed to abate and the applicant will be entitled to all his retiral benefits on that basis. There shall be no order as to costs.

  
(Kuldip Singh)  
Member(J)

/rao/

  
(R.K. Ahuja)  
Member(A)