

Central Administrative Tribunal, Principal Bench

Original Application No.2004 of 1998

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

Hon'ble Mr.R.K.Ahooja, Member (Admnv)

A.G.Sharma son of Shri Gajadhar, Retired as Licencing Assistant from the Office of the Joint Director General of Foreign Trade (Central Licencing Area), Ministry of Commerce, New Delhi and R/o A-273-A, Gali Chet Ram, Maujpur, Delhi. - Applicant

(By Advocate - Shri B.Krishan)

Versus

1. Union of India through the Joint Director General of Foreign Trade, 6-7, Asaf Ali Road, New Delhi-2.
2. The Deputy Director General of Foreign Trade, O/o The Dy. Director General of Foreign Trade, Panipat (Haryana) - Respondents

(By Advocate Mrs. P.K.Gupta)

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The applicant, who was working as Licensing Assistant in the Office of the Deputy Director General of Foreign Trade, Panipat (Haryana), was taken into custody on 20.9.1994 on cases under various substantive provisions of Prevention of Corruption Act and the Indian Penal Code having been registered against him. Vide order dated 23.9.1994 the applicant was placed under suspension under Rule 10(2) of the Central Civil Services (Classification, Control & Appeal) Rules, 1965. The applicant thereafter filed an OA No.2623 of 1996 and the Tribunal by its order dated 14.8.1997 ordered revocation of suspension as it had been continued beyond two years without passing any speaking order. The applicant was thereafter reinstated in service and ultimately retired on attaining the age of superannuation on 31.12.1997.

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the respondents to withhold the pension and gratuity of the applicant cannot be questioned. The applicant would, however, be entitled to provisional pension in terms of Rule 69 of the Pension Rules. According to the respondents provisional pension has already been allowed since January, 1998.

5. For the aforesaid reasons, I find the present OA devoid of merit. It is accordingly dismissed. No costs.


(R.K. Ahuja)
Member (Admnv)

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