

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA.No.1624 of 1995

Dated New Delhi, this 2nd day of August, 1996.

HON'BLE MR A. V. HARIDASAN, VICE CHAIRMAN (J)
HON'BLE MR K. MUTHUKUMAR, MEMBER (A)

R. K. Gupta
S/o Shri Puranchand Gupta
R/o 19/988 Lodhi Colony
NEW DELHI-110 003.
By Advocate: Dr D.C. Vohra
versus
...Applicant

1. Union of India, through
The Foreign Secretary
Government of India
Ministry of External Affairs
South Block
NEW DELHI- 110011.
2. Embassy of India
Washington
through
The Head of Chancery
Care of:
Ministry of External Affairs
South Block
NEW DELHI-110011
... Respondents

By Advocate: Shri N. S. Mehta

O R D E R (Oral)

Hon'ble Mr A. V. Haridasan, VC (J)

The applicant who retired as Personal
Assistant on superannuation on 31.3.1992, has
filed this application under Section 19 of the
Administrative Tribunals Act, 1985 for a
declaration that he is entitled to his monthly
pension and other retirement benefits and for a
direction to the respondents to pay to him all
the arrears of pension and gratuity alongwith
interest.

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1 The respondents have contended that a disciplinary proceedings against the applicant initiated after his retirement is pending and, therefore, the applicant is being paid provisional pension and the release of monthly pension and other retirement benefits would abide by the decision of the disciplinary proceedings.

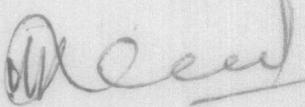
3 When the matter came up for hearing on admission, the learned counsel for the respondents states that the provisional pension though granted to the applicant by order dated 28.11.1995 for a period of six months ^{and payment} ~~portion~~ of the provisional pension would be continued till a final order in the disciplinary proceedings is passed by the competent authority. The learned counsel for the applicant taking ~~into~~ note of this statement by the learned counsel for the respondents at the Bar states that the application is not further pressed on the understanding that the provisional pension shall be continued to be paid to him till a final order is passed by the competent authority in the disciplinary proceedings.

Taking note of the above statement of the learned counsel that the provisional pension shall be monthly paid to the applicant

(P)

continuously till the final order is passed in the disciplinary proceedings, the application is dismissed as not pressed. No costs.


(K. Muthukumar)
Member(A)


(A. V. Haridasan)
Vice Chairman(J)

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