

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

OA 2432/95

New Delhi this the 15th day of November, 1999

Hon'ble Shri S.R.Adige, Vice Chairman(A)

Hon'ble Smt.Lakshmi Swaminathan, Member(J)

Sh.Kamal-U-Din,  
S/O Shri Maulvi,  
R/O T-510/C-3,  
Baljit Nagar

.. Applicant

(By Advocate Sh.D.R. Gupta )  
versus

1. Chief Commissioner(Admn.) of  
Income Tax,C.R.Building, I.P.Estate,  
New Delhi-2

2. Commissioner of Income Tax(Central)  
Delhi-1, Mayur Bhawan, New Delhi-1

.. Respondents

(By Advocate Sh.V.P.Uppal )

O R D E R (ORAL)

(Hon'ble Shri S.R.Adige, Vice Chairman(A)

Applicant seeks a direction to the respondents to  
release his DCRG.

2. We have heard applicant's counsel, Shri Gupta on an  
earlier date, and we have heard respondents counsel, Sh.Uppal  
today.

3. Applicant who is present before us states that his  
DCRG amounts approximately to Rs.35,000/-has not been released  
to him, despite the fact that he had retired on superannuation  
on 30.4.1994.

4. Shri Uppal states that criminal proceedings under  
Sections 460/467/468/471/471-A read with Section 120 B of  
the IPC have been initiated against the applicant and charge  
sheet dated 21.6.92 was issued, which is still pending before  
the Metropolitan Magistrate, Delhi. Applicant states that the  
statement of approval is in the process of being recorded.

5. As applicant had retired from service as far back  
as on 30.4.1994 and is well over 63 years and it is likely

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(13)

that the criminal case will prolong for a further length of time, in the interest of justice, we consider it fair and appropriate to direct the respondents to release 50% <sup>of</sup> applicant's DCRG to him, upon his furnishing indemnity <sup>and</sup> <sub>bond</sub> and sureties to the satisfaction of the respondents, subject to final adjustment upon the conclusion of the criminal proceedings.

5. We direct accordingly and call upon respondents to implement the same as expeditiously as possible. No costs.

Lakshmi  
(Smt. Lakshmi Swaminathan)  
Member(J)

Adige  
( S.R. Adige )  
Vice Chairman(A)

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