

Central Administrative Tribunal, Principal Bench

O.A.No.1970/96

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

New Delhi, this 7th day of April, 1997

K.K.Kamra
retd. UDC
r/o F 4/170-171
Rohini
Delhi - 85.

...Applicant

(None for the applicant)

Vs.

The Director
Directorate of Health Services
Delhi Administration
E-Block, Saraswati Bhawan
New Delhi.

State of Delhi
(NCT of Delhi)
through Secretary, Health
Medical Secretary
5, Shyam Nath Marg
Delhi.

... Respondents

(By Shri Rajinder Pandita, Advocate)

O R D E R(Oral)

The applicant while working as UDC in the Office of the Respondent No.1, was placed under suspension on account of his involvement ~~and~~ arrest in a criminal case vide order dated 17.9.1987. The criminal case is still pending. The applicant however retired from service on reaching the age of superannuation on 31.5.1995. He is aggrieved that the respondents did not sanction any provisional pension under Rule 69 of CCS (Pension) Rules, 1972, pending a decision in criminal proceedings against him.


2. The respondents in their reply have stated that the applicant is entitled to the grant of provisional pension in view of the pending criminal proceedings against him. They state that the case for grant of provisional pension is under process and has been resubmitted to PAO on 27.11.1996.

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3. Today when the case came up for hearing, none has appeared for the applicant even on second call. I have heard the learned counsel for the respondents. Learned counsel for the respondents produced for my perusal a copy of the order No.PAO/XIV/Admn./Pen/92/45 dated 8.1.1997 which is placed on record, sanctioning provisional pension to the applicant. It is also noticed that the applicant has received provisional pension along with arrears thereon amounting to Rs.30,689/- on 26.2.1997. In view of the above position, it would appear that the relief sought for by the applicant has been substantially granted by the respondents.

4. In view of the above position, the OA is rendered infructuous and is disposed of as such. No costs.


(R.K. ANAND)
MEMBER(A)

/rao/