

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 720/1996

New Delhi this the 1st day of May, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI V. K. MAJOTRA, MEMBER (A)

Ram Singh Chaudhary
S/o Shri Mange Ram
R/O Villagae- Ahulana
Tehsil Ganaur, Sonepat,
Haryana.

... Applicant

(None for the applicant)

-Versus-

1. Government of Delhi through
Lieutenant Governor, Delhi
Raj Niwas, Delhi.
2. Chief Secretary,
Delhi, 5 Sham Nath Marg,
Delhi.
3. Director of Employment
15 Rajpur Road,
Delhi.
4. Pay and Accounts Officer XIII
through Controller of Accounts
cum Joint Secretary of Finance
5 Sham Nath Marg, Delhi.
5. Registrar,
Co operative Societies Delhi
Parliament Street
New Delhi.
6. Liquidator
Najafgarh Co operative Marketing Society Ltd.
through Registrar, Co operative, Delhi.
Parliament Street, New Delhi.
7. Administrator
Delhi State Cooperative Bank Ltd.
Delhi
31 Netaji Subhash Marg, Darya Ganj
New Delhi. Respondents

(None for the respondents)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Parties and their Advocates are absent. We proceed to dispose of the OA on merits in their

absence in terms of the provisions of Rule 15 of the Central Administrative Tribunal (Procedure) Rules, 1985.

2. Applicant joined Government service on 24.7.1952 as Sub-Inspector in the office of the Deputy Registrar Co operative Society, Delhi. He retired on 31.12.1985 as Assistant Employment Officer B class gazetted on superannuation from the office of the Director of Employment, Government of Delhi vide order dated 4.9.1984. On retirement, a provisional pension of Rs.715/- plus Rs.147/- as personal pension (Total Rs.862/-) per month plus relief in pension as admissible from time to time with effect from 1.1.1986 was sanctioned as per Annexure A-1 dated 9.9.1986.

3. Applicant was placed under suspension on 28.1.1985 pending disciplinary proceedings which were contemplated against him. On representation being made, he was reinstated on 10.10.1985. Disciplinary proceedings were initiated against him by issue of a chargesheet dated 26.11.1985. The enquiry officer submitted his report on 31.1.1989. The disciplinary authority by his order passed on 3.1.1990 exonerated the applicant of the charges levelled against him. By an order separately passed his period of suspension was directed to be treated as having been spent on duty.

N.D

4. Applicant while working in the office of the Registrar Co operative Societies, Delhi was sent on foreign service on deputation twice - (1) Najafgarh Cooperative Marketing Society Ltd. for the period January 1959 to 31st March 1961; and (2) Delhi State Co operative Bank Ltd., Delhi for the period 19th March 1964 to 31st June 1968.

5. Short grievance raised by the applicant is that his pensionary benefits are not being accorded to him as due. According to him, his period of deputation is required to be considered for computing the pensionary benefits. Similary the period of suspension is also required to be taken into consideration as qualifying service for pensionary benefits especially when he has been exonerated of the charges levelled against him in the disciplinary proceedings. *and the period of suspension has been directed to be treated as period spent on duty*

6. In our view, the claim made is just and reasonable and the same deserves to be granted. In the circumstances, we direct the respondents to issue fresh orders granting pensionary benefits to the applicant after taking into account his service while he was on deputation as well as his service during the period of suspension pending the disciplinary proceedings. He will also be entitled to all consequential benefits. This be done expeditiously and within a period of three months from the date of service of this order.

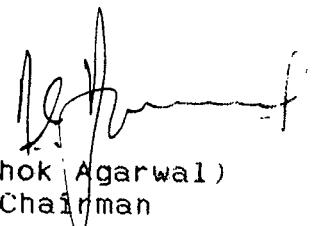
N.J.

7. Present OA is accordingly allowed. In the circumstances, there shall however be no order as to costs.



(V.K. Majotra)
Member (A)

sns



(Ashok Agarwal)
Chairman