

Central Administrative Tribunal
Principal Bench

0.A.No.614/97

Hon'ble Smt. Lakshmi Swaminathan, Member(J)
Hon'ble Shri R.K.Ahooja, Member(A)

(5)

New Delhi, this the 14th day of August, 1997

Shri G.C.Gupta
s/o Shri M.L.Gupta
retired Senior Civil Engineer(Construction)
Northern Railway
Kashmere Gate
r/o House No.117 B,
Sunlight Colony
Hari Nagar Ashram
New Delhi - 110 024.

... Applicant

(By Shri S.K.Sawhney, Advocate)

Vs.

Union of India through
General Manager
Northern Railway
Baroda House
New Delhi. ... Respondent

(By Shri P.S.Mahendru, Advocate)

O R D E R(Oral)

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

Both the learned counsel heard and perused the records.

2. The main grievance of the applicant in this case is that the respondents are delaying completion of the disciplinary proceedings in respect of the charge-sheet which has been issued as early as 22.10.1992. He submits that the enquiry has been completed on 4.10.1995. He therefore seeks a direction to the respondents to complete the proceedings within 20 days as provided in the Railway Board's letter dated 30.5.1985 (Annexure A1). He has also prayed for release of commutation of pension, DCRG and other retiral benefits along with 18% interest from 1.7.1993 to the date of actual payment. Respondents have referred to a representation filed by the applicant on 24.4.1997 which they state is under active consideration of the

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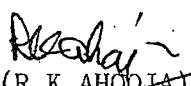
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disciplinary authority. The learned counsel submits that the disciplinary proceedings could not be completed due to the pendency of the OA.

(b)

3. In the light of the above facts and circumstances of the case, we dispose of this OA with a direction that the competent authority shall finalise and dispose of the disciplinary proceedings in accordance with law within a period of two months from the date of receipt of a copy of this order. Thereafter, they shall pass appropriate orders with regard to the disbursement of retiral benefits and pay the amounts due to the applicant within two months of the final order passed in the disciplinary proceedings. In the facts of this case, the claim for interest is rejected.

OA is disposed of as above. No order as to costs.


(R.K. AHOOJA)
MEMBER(A)

/rao/


(SMT. LAKSHMI SWAMINATHAN)
MEMBER(J)