

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH****Hearing by Video Conferencing****O.A. No.060/00742/2020**

Chandigarh, this the 14<sup>th</sup> of October, 2020

**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)  
HON'BLE MS. AJANTA DAYALAN, MEMBER (A)**

Balbir Singh Ghataura son of Sh. Harchand Singh, aged about 62 years, ex-employee of Employees Provident Fund Organization, Regional Office, Bhavishya Nidhi Bhawan, Sham Nagar (near General Bus Stand), Ludhiana – 141001. Punjab (Presently residing at House No. 1619/3, Street No. 19, Janta Nagar, Ludhiana – 141003 (Group B)

**....Applicant**

(BY: Mr. A.K. Chandok, Advocate)

**Versus**

1. Union of India through its Secretary, Ministry of Labour and Employment (EPFO), Government of India, Shram Shakti Bhawan, New Delhi – 1
2. Central Provident Fund Commissioner (CPFC), Employees Provident Fund Organization (EPFO), Bhavishya Nidhi Bhawan, 14- Bhikaji Cama Place, New Delhi – 110066.
3. The Additional Central Provident Fund Commissioner (Pb & HP), Bhavishya Nidhi Bhawan, SCO No. 4-7, Sector 17-D, Chandigarh.
4. Regional Provident Fund Commissioner, Regional Office, Bhavishya Nidhi Bhawan, Sham Nagar (Near General Bus Stand), Ludhiana – 141001 (Punjab).

**... .Respondents**

**O R D E R(Oral)****SANJEEV KAUSHIK, MEMBER (J):**

1. Applicant is before this Court seeking invalidation of impugned orders dated 08.12.2017, 03.08.2018 and 05.02.2019 (Annexues A-3, A-7 and A-10 respectively) whereby the respondents have withheld his retiral benefits on account of pendency of departmental proceedings against him.
2. Heard Mr. A.K. Chandok, learned counsel for the applicant. He admitted that the departmental proceedings are pending against the applicant in which inquiry report has been submitted to the Competent Authority who has not taken a decision as yet. He contended that the retiral benefits of the applicant have been withheld illegally and prays that the respondents be directed to release the benefits.
3. We are not impressed by the submissions made by learned counsel for the applicant as the Rule position is very clear that in case of pendency of departmental or criminal proceedings, the retiral benefits of the delinquent employee can be withheld. However, considering the fact that the applicant has already retired and inquiry report has been submitted, as per the submissions of learned counsel, we direct the Disciplinary Authority to expedite and conclude the departmental proceedings, if there is no



other legal hurdle, within a period of three months from the date of receipt of a copy of this order.

4. The O.A. stands disposed of. No costs.

**(AJANTA DAYALAN)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**Member (J)**

Place: Chandigarh

Dated: 14.10.2020

'mw'