

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

C.P. No.36/2005  
O.A. No.470/2004

New Delhi this the 23<sup>rd</sup> day of March, 2005

Hon'ble Shri V.K. Majotra, Vice Chairman (A)  
Hon'ble Shri Shanker Raju, Member (J)

Shri N.S. Kain,  
S/o Late Shri B.S. Kain,  
R/o Block-I, Flat No.67, 1st Floor,  
Charm Wood Village,  
Erose Garden, Faridabad,  
Haryana.

-Applicant

(By Advocate: Shri M.K. Bhardwaj)

Versus

Union of India & Others

1. Shri Dharendra Singh, I.A.S.  
Home Secretary, Govt. of India,  
Ministry of Home Affairs,  
North Block, New Delhi-110011
2. Shri S. Raghunathan, I.A.S.  
Chief Secretary, Govt. of NCTD  
Delhi Secretariat, I.P. Estate,  
New Delhi.

-Respondents

(By Advocate: Shri Duli Chand)

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Vice Chairman (A)

Learned counsel heard.

2. OA-470/2004 was disposed of vide order dated 10.9.2004 with a direction to the respondents to release the gratuity of the applicant as also the commutation of pension on production of two sureties.
3. Learned counsel for respondents stated that respondents have vide order dated 16.3.2005 (Annexure R-II) released the gratuity as well as commutation of pension after deducting a sum of Rs.1000/- withheld in the absence of No Dues Certificate and an amount of Rs.72,558/- withheld in lieu of recovery of market rent as per the directions of Rent Recovery Cell. Learned counsel for applicant stated that respondents could not have deducted these dues from the gratuity and commutation of pension due to the applicant. This is a contentious issue

constituting a separate cause of action. Respondents have, in our view, substantially complied with directions of this Court.

4. C.P. is dropped and notices to the respondents are discharged.

S. Raju

(Shanker Raju)  
Member (J)

V.K. Majotra

(V.K. Majotra)  
Vice Chairman (A)

23-3.05

cc.