

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

(15)

O.A. No. 1885/93

New Delhi, dated the 4th February, 1994

The Hon'ble Mr. B.S. Hegde, Member (Judicial)

Shri P. Ramachandra, Rao,  
B-71/I, DDA Flats, Naraina,  
New Delhi

... Applicant

(By Advocate Sh. Sant Singh )

Versus

1. Union of India Through:  
Secretary, Ministry of Finance  
Deptt. of Revenue, North Block,  
New Delhi-1
2. The Collector of Central Excise,  
Central Revenue Bldgs., Opp. Lal  
Bahadur Stadium, Basheerabagh  
Hyderabad-4 (A.P.)

... Respondents

(By Advocate Sh. R.R. Bharti )

ORDER (ORAL)

(Hon'ble Mr. B.S. Hegde, Member (Judicial))

Learned counsel for the applicant submits that in pursuance of the decision rendered by the Tribunal in OA No. 660/87 dated 28.10.92 quashed the appellate order dated 11.2.1987. In that order the Tribunal directed the appellate authority for disposal of the appeal, in accordance with law and also further directed that the personal hearing be accorded to the petitioner before the appeal is disposed of. If the appellate authority is inclined to take such action for

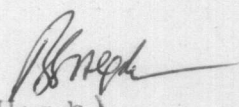
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enhancement of penalty, we reserve liberty to take such action but only after giving the petitioner an opportunity of being personally heard in the matter. We consider it appropriate to direct the appellate authority to complete the entire process as expeditiously as possible, but preferably within a period of 6 months from the date of receipt of a copy of this judgment".

Ld. counsel for the applicant further submits that the respondents have stopped the pension w.e.f. 11.2.87. He contends that the appellate order has already been quashed by the Tribunal, the Respondent has no right to withhold his pension, already granted, till they take further decision on the appeal preferred by him which is pending under consideration.

Accordingly, I direct the respondents to release the pension amount which was granted to him after ~~the~~ 1.3.1987 and disposed of the appeal within a period of two months from the date of receipt of a copy of this order. Accordingly, OA is disposed of. No order as to costs.

sk

  
(B.S. Hegde)  
Member (J)