

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK,**

**ORDER SHEET**

No. Of Adjournment : 1

COURT NO. : 1  
01/03/2021  
O.A./101/2021  
WITH IR

SARAT KUMAR MOHANTY  
-V/S-  
FOREST AND ENVIRONMENT DEPTT.

ITEM NO:98

FOR APPLICANTS(S) Adv. : Mr. S. K. Ojha

FOR RESPONDENTS(S) Adv.: Mr. G. R. Verma  
Mr. J. Pal

Notes of The Registry	Order of The Tribunal
	<p>Heard Mr.S.K.Ojha, learned counsel for the Applicant, Mr. G.R.Verma, Learned Senior Counsel appearing for the Respondent No.1 and Mr. J.Pal, Learned Counsel for the State of Odisha, appearing for the Respondent Nos.2&amp;3.</p> <p>It is submitted by learned counsel for the Applicant that the Applicant was imposed with the punishment of withholding of 5% pension for a period of two years vide order dated 21.08.2019 (Annexure-A/8). But despite conclusion of the disciplinary proceedings and imposition of punishment, his pension after withholding 5% pension has not been fixed and paid to him till date; although he has not challenged the punishment imposed on him. It has been submitted that he has made series of representations starting from Annexure-A/4, A/5 and the last one is at Annexure-A/9 dated 26.8.2020 to the Hon'ble Chief Minister of Odisha. Mr.Ojha, learned counsel for the Applicant submitted that since the applicant is a pensioner and senior citizen, he will be satisfied if this OA is disposed of at this stage with direction to the Respondents to fix and release his full pension to which he is entitled to as per Rules after deduction of 5% of pension as per order dated 21.08.2019 (Annexure-A/8).</p> <p>Considering facts and circumstances stated above, without expressing any opinion on the merit of the matter, this OA is disposed of at this admission stage with direction to the Respondents to fix/sanction and disburse the full pension, after deduction of 5% from his pension, as due and admissible to him under Rules, if there is no other legal impediment to do so, as expeditiously as possible but within a period of 02 (two) months from the date of receipt of a copy of this order. No costs.</p> <p style="text-align: center;">Copy of this order be given to learned counsel for both sides.</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <p>( T. JACOB ) MEMBER (A)</p> </div> <div style="text-align: center;"> <p>( SWARUP KUMAR MISHRA ) MEMBER (J)</p> </div> </div> <p style="text-align: left;">sadish</p>