



**Central Administrative Tribunal
Principal Bench, New Delhi
O.A.No.662/2021
MA No. 860/2021
This the 23nd day of March, 2021**

(Through video conferencing)

Hon'ble Mr. Pradeep Kumar, Member (A)

1. Smt. Promela, Sr. TOA (P), Gp 'C'
(Aged about 58 years)
D/o Sh. Har Swaroop Sharma,
R/o B-37, Satyawati Colony,
Ashok Vihar Phase-III,
Delhi-110052.
2. Smt. Sheela Devi Jain Sr. TOA (P), Gp 'C'
(Aged about 56 years)
D/o Sh. Shiv Charan Dass Gupta,
R/o H.No.32, Pocket-17, Sector-24,
Rohini,
Delhi-110085.
3. Smt. Usha Jaswal, Sr. TOA (G), Gp 'C'
(Aged about 57 years)
D/o Late Sh. Hari Chand ,
R/o 713, Neel Kanth Apartment, Sector-13,
Rohini,
Delhi-110085.
4. Jagmandar, Sr. TOA (P), Gp 'C'
(Aged about 56 years)
S/o Late Sh. Diwan Singh,
R/o H.No.1189-C, Ward No.21,
Prem Nagar,
Rohtak (Haryana)-124001.
5. Om Shiv Sharma Bhardwaj,
Sr. TOA (P), Gp 'C'
(Aged about 58 years)
S/o Sh. Prem Prakash Sharma,
R/o LIG Flat No.3/1, D-6, Sector-6,



Rohini, Delhi-110085.

6. Mahesh Chander Goyal, Sr. TOA (P), Gp 'C'
(Aged about 58 years)
S/o Late Sh. Rishi Kesh Goel,
R/o D-145, Ashok Vihar Phase-I,
Delhi-110052.
7. Smt. Pushpa Lata, Sr. TOA (P), Gp 'C'
(Aged about 58 years)
D/o Late Sh. Nand Lal,
R/o H.No.329, 3rd Floor, Sant Nagar,
East of Kailash, New Delhi-110065
Delhi-110065.
8. Smt. Rashmi Kakkar, Sr. TOA (P), Gp 'C'
(Aged about 58 years)
D/o Sh. Roshan Lal,
R/o B-53, Himalayan Residenc,
Plot No.10, Sector-22
Dwarka, New Delhi-110077
9. Smt. Bharti Manchanda, Sr. TOA (P), Gp 'C'
(Aged about 56 years)
D/o Sh. Prahlad Chand ,
R/o A-541/1, Upper Ground Floor,
Opp. A- Block, Gurudwara, Shashtri Nagar,
Delhi-110052.
10. Smt. Poonam Parbhakar, Sr. TOA (P), Gp 'C'
(Aged about 55 years)
D/o Sh. G.K.Verma,
R/o CGDI-1601, Supertech, Cape Town,
NOIDA (UP)-201301.
11. Smt. Anita Negi, Sr. TOA (P), Gp 'C'
(Aged about 55 years)
D/o Sh.K.S.Rawat,
R/o CGDI-1601, Supertech, Cape Town,
NOIDA (UP)-201301.



12. Smt. Rajni Yadav, Sr. TOA (P), Gp 'C'
(Aged about 57 years)
D/o Sh.JayotiSawroop,
R/o 4, Munshi Ram Colony,
Opportunity 181 Mukherjee Nagar North,
Delhi-110009.
13. Sh. Dharampal, Sr. TOA (P), Gp 'C'
(Aged about 59 years)
S/o Late Sh.Girwar Singh,
R/o R-86, Main 33 Foota Road, Phase-II,
Shiv Vihar, Delhi-110091. ... Applicants

(Through Advocate Sh. M.K Bhardwaj)

Versus

1. Mahanagar Telephone Nigam Limited
Through Its C.M.D.
5th Floor, Door Sanchar Sadan,
9 C.G.O. Complex,
New Delhi.
2. Union of India
Ministry of Department of Tele Communication,
Through Its Secretary,
Sanchar Bhawan,
20, Ashoka Road,
New Delhi. ... Respondents

(Through Advocate None)

ORDER (Oral)

Hon'ble Mr. Pradeep Kumar, Member (A):

There are total 13 applicants, who had initially been appointed in the Department of Telecom. Subsequently, they were deputed to MTNL followed by absorption there w.e.f. 1.11.1998. The MTNL introduced a voluntary retirement scheme in 2019. The applicants have opted for such

voluntary scheme and this VRS came into force w.e.f. 31.01.2020.



The applicants are aggrieved that ex-gratia payment, as was envisaged under this voluntary retirement scheme, has not been paid to them as yet. They made a representation dated 15.01.2021 which has not been replied to as yet. Feeling aggrieved, the present OA has been filed.

3. The matter has been heard. The OA is disposed off at the admission stage itself, without going into merits of the case, with a direction to the respondents to pass a reasoned and speaking order on the pending representation dated 15.01.2021 by the applicants, duly keeping in view the provisions of MTNL Voluntary Retirement Scheme-2019, within a period of eight weeks under advice to the applicants. In case as a result of this examination, certain payments become due, the same shall also be released within a period of four weeks thereafter. The applicant shall be at liberty to approach this Tribunal, in case any grievance still subsists. No costs.

(Pradeep Kumar)
Member (A)

rita/sarita/arti



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A.No.653/2021

This the 22nd day of March, 2021

(Through Physical Hearing)

Hon'ble Mr. Pradeep Kumar, Member (A)

Sh. Mukesh Kumar Chhabra
S/o Sh. Darshan Lal Chhabra
R/o A-U/89, Hastal Road Uttam Nagar
New Delhi-110059
Ex. Sub Inspector
Delhi Police No.D-105
PIS No. 27820047. Applicant

(Through Advocate Shri R.P.S.Yadav)

Versus

1. The State
(Govt. of NCT of Delhi)
Through Chief Secretary,
5, Sham Nath Marg,
New Delhi.
2. The Commissioner of Police,
Police Head Quarter,
I.P.Estate, New Delhi. Respondents

(Through AdvocateMs. Avni Kaushal for
Ms. Esha Mazumdar)



ORDER (Oral)**Hon'ble Mr.Pradeep Kumar, Member (A):**

The applicant herein was appointed as Head Constable Ministerial on 28.06.1982. He superannuated on 31.01.2019. While in service a criminal case was lodged against him on 02.8.2010 on charge of sexual harrassment of fellow employee. The Trial Court convicted him and a departmental enquiry was also ordered against the applicant and he was suspended on 29.09.2010. This enquiry was finalized and he was punished by reducing two stages of his pay permanently. He has preferred an appeal against this punishment.

2. On 28.11.2017 the Lower Court acquitted the applicant under Section 509 of IPC but he was convicted under Section 354 and was sentenced of 6 months imprisonment and fine of Rs.10,000/- was also imposed on him. The applicant preferred an appeal against this conviction before the Trial Court wherein he was acquitted on 28.08.2018.

3. On conviction by Trial Court he was dismissed from service on 15.12.2017. However, after acquittal he was reinstated in service on 17.10.2018 and a detailed order was passed by the respondents.



4. The respondents have preferred an appeal against acquittal before the Hon'ble High Court in October, 2018 which is still pending. Meanwhile, the applicant retired on 31.01.2019. He is being paid provisional pension, however, gratuity is withheld. The applicant submitted representation on 14.10.2020 seeking release of gratuity, restoration of promotion, restoration of MACP benefits etc. As his representation has not been decided, he preferred reminders on 21.10.2020, 23.10.2020, 27.10.2020, 07.11.2020 and 22.11.2020. Since there is no reply on the representation of the applicant followed by several reminders, the instant OA has been filed.

5. The applicant submitted that he will be satisfied if certain directions are issued to the respondents to pass a reasoned and speaking order on the pending representations of the applicant.

6. The matter has been considered. It is felt that no prejudice would be caused to the respondents if such a request of the applicant is acceded to.

7. In view of the foregoing, the present OA is disposed off, at the admission stage itself, without going into merits of the case, with a direction to the respondents to pass a reasoned and speaking order on the pending



representations dated 14.10.2020 and 22.11.2020, keeping in view the extant rules and instructions on the subject within a period of eight weeks under advice to the applicant. The applicant shall be at liberty to approach this Tribunal, if any grievance still subsists.

(Pradeep Kumar)

Member (A)