

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD.

Dated: Allahabad, the 23rd day of April, 2001.

Coram: Hon'ble Mr. Justice R. R. K. Trivedi, VC

Hon'ble Maj Gen. K.K. Srivastava, AM

ORIGINAL APPLICATION NO.790 OF 1995

Surendra Nath Pathak,  
aged about 63 years,  
s/o late Sri Awadh Behari Pathak,  
r/o village and Post Mirganj  
Tehsil Khalilabad, Distt. Basti  
present address Flat No.778 Lalkothi,  
Girdhari Bhawan, Maya Bazar,  
Gorakhpur, retired Sub Post Master  
Barhalganj in the district Gorakhpur.

. . . . . Applicant

(By Advocate Sri Avnish Tripathi  
and J.M. Singh )

Versus

1. Union of India through the Secretary,  
Department of Posts, India, in the  
Ministry of Communication, Dak Bhawan,  
Sansad Marg, New Delhi- 110001.
2. Sr. Supdt. of Post Offices,  
Gorakhpur Division, Gorakhpur-273001.
3. Ziladhikari, Basti 273001.
4. Ziladhikari, Gorakhpur-273001.
5. Tehsildar, Khalilabad,  
District Basti-272175.

. . . . . Respondents

(By Advocate: Miss Sadhna Srivastava )



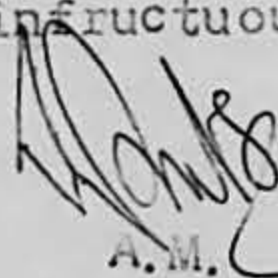
2.

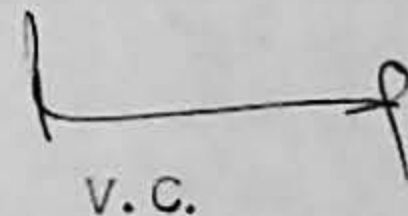
O R D E R (ORAL)

(By Hon.Mr.Justice R.R.K. Trivedi, VC)

This O.A. was filed, challenging Recovery Certificate (Annexure No.1) and Citation dated 13.2.1991 (Annexure No.2). The application has been filed that the impugned recovery and citation has been withdrawn, as the departmental proceedings have been dropped and in Criminal Case final report has been submitted by the police. The Recovery Certificate has been withdrawn on 11.1.2001. In the circumstances, nothing is left to be decided. Sri Avnish Tripathi, counsel for the applicant, however, submitted that on account of the proceedings, there has been delay in payment of pensionary benefits including Gratuity and the applicant is entitled for interest. However, no such relief has been claimed in the O.A.

2. In the circumstances, we are not required to enter into this question. However, it shall remain open to the applicant to claim interest in accordance with the rules from the Respondents. O.A. is accordingly dismissed as infructuous. No order as to costs.

  
A.M.

  
V.C.

Nath/