

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 27th day of April, 2004.

Original Application No. 264 of 2003.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.
Hon'ble Mr. D.R. Tiwari, Member- A.

Hari Shankar Srivastava S/o Late Lazman Lal
R/o Nibi, Civil Lines, Mirzapur.

.....Applicant

Counsel for the applicant :- Sri A.S. Diwakar

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V E R S U S

1. Union of India through the Secretary,
M/o Finance, New Delhi.
2. Commissioner, Customs and Central Excise,
North U.P. Commissionerate, Meerut.

.....Respondents

Counsel for the respondents :- Sri R.C. Joshi

O R D E R

By Hon'ble Mr. Justice S.R. Singh, VC.

This O.A has been instituted under section 19 of the Administrative Tribunals Act, 1985 for issuance of a writ or direction in the nature of certiorari quashing the charge-sheet dated 27.12.1995 a copy of which has been annexed as Annexure-1 to the O.A and for a direction to the respondents to pay the entire pension, gratuity, leave encashment etc.;
w.e.f 31.12.1995
to the applicant who has since retired/after the issuance of the charge-sheet. The charge-sheet was issued on 27.12.1995. Concededly the enquiry report has been submitted and copy whereof has been recieved, as stated, by the applicant. In the circumstances, we find no ground made-out for interference. The applicant shall have liberty to file his explanation to the enquiry report. However, having regard to the fact that applicant has already attained the age of superannuation, the

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disciplinary authority is directed to complete the proceedings within a period of four months from the date of receipt of a copy of this order failing which the applicant ^{✓ may} stake ^{2 3} ~~for~~ his claim for provisional pension.

2. There will be no order as to costs.

Adarsh
Member- A.

ADG
Vice-Chairman.

/Anand/
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