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OA 429/02

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

08.01.12.02 05

for further hearing
as 'Part-Heard'.

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21/4

Bench

08.01.26.04.05

copy of
proposed
Counsel's
order
for both

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Order dated : 26.4.05

None appears for the applicant nor
the applicant is present in person. No

Order dated : 26.4.05

Heard Ld. Counsel for both the parties.

Drawing our notice to the counter, Ld. Sr.

Standing Counsel, Shri U.B. Mohapatra, submitted
that the applicant having been removed from
service on account of disciplinary proceeding
initiated against him under Rule 14 of CCS(CCA)
Rule, 1965, he was not entitled to pensionary
benefits; however, employees group insurance
savings benefit was made available to him.

It is also submitted by him that the husband
of the applicant, the Govt. servant, did not
prefer any appeal to ^{the} higher authority against
the order of punishment till his death on
24.1.96. As no pensionary benefits are payable
to a Government servant who is removed from
service under the pensionary rules, no payment
is due to the applicant, for which the applicant
also did not prefer any appeal before higher
authority till his death. In the circumstances,
it is not now open to the legal heirs of the
applicant to ventilate any grievance as they
have raised in the O.A.

Having regard to the facts of the case
that the husband/father of the applicant was
removed from service under CCS(CCA) Rules,
nothing survives in this O.A. for further
adjudication, which is accordingly disposed
of. No costs.

MEMBER (JUDICIAL)

VICE-CHAIRMAN