

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 475 of 96

Present : Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman
Hon'ble Mr. M.S. Mukherjee, Administrative Member

H. B. BANTLEMAN
VS
UNION OF INDIA & ORS.

For the applicant : Mr. S. Mustaphi, counsel
Mr. S. Sen, counsel

For the respondents: Ms. U. Sanyal, counsel

Heard on : 18.12.96

Order On ; 18.12.96

M. S. Mukherjee (AM)
A.K. Chatterjee vs.
O R D E R

Heard Mr. S. Mustaphi, counsel leading Mr. S. Sen, counsel for the petitioner and Ms. U. Sanyal, counsel for the respondents. Mr. Mustaphi submits that no reply has been filed by the respondents. He prays that at least 50% of gratuity be released on the ground that the applicant has retired on 1992. Ms. Sanyal submits that she could not file reply and she has no instruction also. On hearing the counsel for the petitioner we find that the DA Proceeding was initiated against the petitioner by issuing the charge sheet on 27.2.92 and Enquiry Officer has submitted repeatedly that the petitioner is exonerated from all charges. Since then no progress in the Disciplinary Proceeding is known to the petitioner. His representation for early conclusion of enquiry has brought no result. In the circumstances we dispose of the application at this stage with the order that appropriate authority under relevant Railway Pension Rules shall finally dispose of the Disciplinary Proceeding within 4 months of the date of communication of the order if not already done ^{finally} following which the petitioner ^{shall be} deemed to be exonerated from all charges with all consequential benefits. We make no order as to costs.

[Signature]
MEMBER (A)

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VICE-CHAIRMAN