

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH :: CALCUTTA

OA No.726/97

21-11-2001

Present : Hon'ble Mr.S.Biswas, Member(A)
Hon'ble Mr. Shanker Raju, Member(J)

Fuleswari Das & Another

-Vs-

D/O Posts

For the applicant : Mr.K.Chakraborty

For the respondent : Ms U.Sanyal

ORDER

Mr.Shanker Raju, Member(J) :

In this OA the claim of the applicants are to declare their husband's/father's 'Compulsory Retirement' dated 16-3-95 as illegal and quash the same and to declare him still in service till his death on 20-4-96. At the outset the applicants assailed the Inquiry Report, which was not supplied to their husband/father, which is against the principle of natural justice. On the other hand the learned counsel for the respondent submits that the Inquiry Report dated 2-11-94 has been served on the applicant's husband and the applicant's husband/father also vide letter dated 19-11-94 has acknowledged the same. On the basis of the Inquiry Report the applicant's husband/father was compulsorily retired. In this view, the orders are perfectly legal and the applicants husband/father though involved in Corruption Charge, taking lenient view he was compulsorily retired, which has not deprived the applicants from the rights of retiral benefit.

2. We have carefully considered the rival contentions of the parties. We are satisfied that the applicant's husband/father has been served with the Inquiry Report dt.2-11-94 by the Disciplinary Authority when the deceased was alive. He himself preferred a reply to the memo dated 2-11-94 on 19-11-94. It is clear that the applicant's husband/father was served with the respective Inquiry Reports, ~~As such~~ before arriving ^{at} to a final decision. Thus the orders passed by the

1. The OA is therefore dismissed. No costs.