

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

Original Application No.228/2009

This, the 17th day of May, 2012

Hon'ble Mr. Justice Alok Kumar Singh, Member (J)
Hon'ble Sri S.P. Singh, Member (A)

Rajendra Singh aged about 62 years son of late Sri Chandrika Singh, r/o 20, Manas Nagar Colony, Jiamau, Hazratganj, Lucknow

Applicant

By Advocate: Sri S.P.Singh

Versus

1. Chief General Manager (Telecom) Bharat Sanchar Nigam Limited, U.P. East Circle, Lucknow.
2. Dy.General Manager (Administration) I.O., Bharat Sanchar Nigam Limited, GMTD, Varanasi.

Respondents

By Advocate: Sri G.S.Sikarwar

ORDER (Dictated in Open Court)

By Hon'ble Mr. Justice Alok Kumar Singh , Member (J)

This O.A. has been filed for the following reliefs:-

- i) to issue an order or direction to the opposite parties to pay Post retiral dues (as gratuity, leave encashment, commutation of pension etc.) of the applicant as he has retired on 31.8.2007.
- ii) to issue an order or direction to the opposite parties to conclude the enquiry within two weeks, which is pending since long against the applicant ;
- iii) to issue an order or direction as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case in favour of the applicant
- iv) Allow this original application with cost.

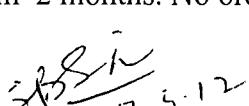
2. In response to the O.A., earlier a detailed C.A. was filed. During the course of time, some further progress took place in the matter and therefore a Supple. CA has been filed in response to the Rejoinder reply filed by the applicant. In para 3, it has been said that disciplinary

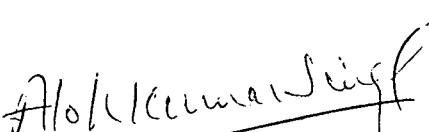


proceedings under Rule 14 of CCS Rules 1965 has now been completed vide order dated 2.4.2012 and penalty of 10% reduction in full pension otherwise permissible for a period of one year with immediate effect has been passed with further direction that full pension shall be restored on completion of one year. It has been further mentioned in the order that gratuity be released if it is not required to be withheld otherwise. The relevant order dated 2.4.2012 has also been enclosed. The pleadings contained in this Supple. CA have not been refuted or contradicted by the applicant. In oral submission also, learned counsel for applicant has to say nothing against it as it is a matter of record.

3. In view of the above, now this O.A. appears to has become infructuous. Learned counsel for applicant t has to make only one submission to the effect that the above punishment order dated 2.4.2012 has been served upon him on 3.5.2012. He intends to file statutory appeal within a prescribed period of one month i.e. by 2.6.2012. But he apprehends that respondents may delay in deciding his statutory appeal and therefore, requests that some reasonable time may be stipulated. Learned counsel for respondents has no substantial objection against it.

4. In view of the above, this O.A. is finally disposed of accordingly. Nevertheless, it is provided that if the statutory appeal is filed within the prescribed period of limitation, the same may be disposed of finally by passing a speaking and reasoned order within reasonable period, say within 2 months. No order as to costs.


(S.P.Singh)
Member (A)


(Justice Alok Kumar Singh)
Member (J)
17.5.12

HLS/-