

A3/1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH LUCKNOW.

...

O.A. No. 289 of 1989 (L)

Ram Nath Kureel ... ... ... Applicant.

Versus

Union of India and others ... ... Respondents.

...

Hon'ble Mr. D.K. Agrawal, J.M.

Hon'ble Mr. K. Obayya, A.M.

( By Hon'ble Mr. D.K. Agrawal, J.M.)

This application under Section 19 of the Administrative Tribunals Act, 1985 has been filed by the applicant against the disciplinary proceedings initiated 3 days prior to his retirement falling on 30.11.1987. Further prayer made was that direction be issued to settle his retirement dues. The application was filed on 18.10.1989. Since filing of the application, the enquiry proceedings have concluded. Supplementary Affidavit filed by the applicant contains as Annexure-A, the order of Collector, Central Excise, Allahabad dated 27.8.1990. The said order clearly mentions that the disciplinary proceedings against the applicant stand dropped. Consequently, there remains no hurdle for the payment of pensionary benefit to the applicant.

2. In the circumstances, relief (i) has become redundant. In regard to relief (ii), competent authority be directed to settle the retirement dues of the applicant within a specified time.

D.K.Agrawal

4/3  
1/2

- 2 -

3. The learned counsel for the applicant has prayed for payment of interest on the amount of pension due to him on 1.12.1987. However, the applicant was charge-sheeted before his retirement and the enquiry proceedings has been concluded only ~~in~~ <sup>on</sup> August, 1990. We are of the opinion that in such ~~circumstances~~ <sup>occasions</sup> no interest becomes due on the amount of retirement dues.

4. In the result, the claim petition is allowed in part. The Opp. Parties are directed to settle the retirement dues of the applicant within 3 months of the receipt of copy of this judgment failing which, ~~they~~ <sup>they</sup> would become liable for payment of interest on the amounts due to the applicant. Parties are left to bear ~~their~~ their own costs.

*Arvind*  
Member (A)

*DR. C. S. Rawal*  
Member (J) 23.4.91

Dated : 23.4.1991

Lucknow.

(n.u.)