

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH

Jaipur, this the 10<sup>th</sup> day of January, 2011

**ORIGINAL APPLICATION NO. 04/2011**

**CORAM**

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER  
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

Uma Shankar Tiwari son of Shri R.S. Tiwari, by caste Brahmin, aged about 60 years, resident of Village and Post Raja Khera, presently retired on 31.01.2010 as PRI (P), Dholpur.

.....Applicant

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through Secretary to the Government of India, Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Postmaster General, Rajasthan Circle, Jaipur.
3. Superintendent Post Offices, Dholpur Division, Dholpur.

.....Respondents

(By Advocate: -----)

**ORDER (ORAL)**

The applicant has filed this OA thereby praying for the following relief"-

- "(i) That by a suitable writ/order or the direction the respondents be directed to release the PPO of the applicant with effect from 1.2.2010 with the payment of arrears of the pension with a penal interest of 12 per cent on the arrears of the pension.
- (ii) That the money of gratuity and commutation be released with a penal interest with effect from 1.2.2010.
- (iii) The order dated 4.6.2010 be quashed and set aside.
- (iv) That the orders be issued as earlier as possible for the final order in the inquiry of charge memo dated 22.1.2010.
- (v) Any other relief which the Hon'ble Bench deems fit."

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2. From the material placed on record, it is evident that charge sheet was issued to the applicant on 22.01.2010. Inquiry has not been completed as yet. In terms of provisions contained in Rule 69 (c) of the Pension Rules, no gratuity can be paid to the applicant till the conclusion of the disciplinary proceedings and passing of the final order. Learned counsel for the applicant submits that he will ~~be~~ be satisfied if the direction is given to the respondents to complete the inquiry proceedings pursuant to Memorandum dated 22.01.2010.

3. In view of what has been stated above, we are of the view that it will be in the interest of justice if direction is given to the respondents to ensure completion of the inquiry initiated under Rule 14 of the CCS (CCA) Rules by issuing Memorandum dated 22.01.2010 expeditiously and in any case within a period of six months from the date of receipt of a copy of this order. The applicant shall render all assistance before the Inquiry officer for completion of the inquiry.

4. With these observations, the OA is disposed of at admission stage itself with no order as to costs.

*Anil Kumar*  
(ANIL KUMAR)

MEMBER (A).

*M.L. Chauhan*  
(M.L. CHAUHAN)

MEMBER (J)

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