

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 615/2016
M.A. No. 3069/2017

New Delhi, this the 28th day of August, 2017

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)**

R.S. Rawat, Retired UDC
Aged about 66 years,
S/o Late Shri K.S. Rawat,
R/o A-5/46, Sec-17, Rohini,
Delhi-110089. .. Applicant

(By Advocate: Shri M.K. Bhardwaj)

Versus

1. Delhi Development Authority,
Through its Vice Chairman,
Vikas Sadan,
INA, New Delhi.
2. The Commissioner (P),
Delhi Development Authority,
Vikas Sadan, INA, New Delhi. .. Respondents

(By Advocate : Ms. Sriparna Chatterjee)

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

On the request of the counsels appearing for both the sides,
the main O.A. No.615/2016 itself taken up for hearing with M.A.
No.3069/2017.

M.A. No. 3069/2017 :

M.A filed for taking on record the enclosed documents is allowed.

O.A. No. 615/2016 :

Heard both the sides in the main O.A.

2. The applicant filed the O.A seeking the following relief(s):

- (a) To declare the action of respondents in not deciding the suspension period from 03.02.1995 till 03.03.2008 as spent on duty, as illegal and arbitrary and issue consequential directions for treating the suspension as wholly illegal for all purposes including promotion etc.
- (b) To direct the respondents to treat the suspension period, i.e., from 03.02.1995 to 03.03.2008 as spent on duty for all purposes and release the leave encashment, commuted value of pension, gratuity and regular pension with 18% interest.
- (c) To allow the OA with cost.
- (d) To pass such other and further orders which their lordships of this Hon'ble Tribunal deem fit and proper in the existing facts and circumstances of the case."

3. It is stated by the respondents in their counter that if the applicant is acquitted from all the criminal cases, they will take a final view on the claim of the applicant. The applicant, vide the M.A. referred above, filed copy of the order dated 27.02.2017 of the Special Judge, CBI, Tis Hazari Court, Delhi whereunder the applicant was acquitted from RC No. 1A/12, pending against him and submits that other than this case, no other criminal case is pending against him.

4. In the circumstances and in view of the acquittal of the applicant from RC No. 1A/12, the O.A. is disposed of, without going into the merits of the case, by directing the respondents to consider the fact of the acquittal of the applicant from RC No. 1A/12 and to pass appropriate speaking and reasoned order, in accordance with law, in respect of the claim of the applicant if there is no other criminal case pending against him, within 60 days from the date of receipt of a certified copy of this order. No costs.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

/Jyoti /