

**Central Administrative Tribunal  
Principal Bench**

**OA No.2350/2017**

New Delhi, this the 19<sup>th</sup> day of July, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman  
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Shri Ved Prakash Gautam, Aged 64 years,  
S/o Shri Sri Ram, Group-A, Retired as Asstt. Director,  
C-2/115, Vikas Sadan, INA, New Delhi.

...Applicant  
(By Advocate : Shri Sanjay Bhasin)

**Versus**

1. Delhi Development Authority,  
Through its Chairman,  
C-2/115, Vikas Sadan, INA, New Delhi.
2. The Commissioner (Personnel),  
Delhi Development Authority,  
Vigilance Branch, C-2/115,  
Vikas Sadan, INA, New Delhi. ...Respondents

**ORDER (ORAL)**

**Justice Permod Kohli, Chairman :-**

The applicant was working as Assistant Director in DDA. A criminal case was registered against him for offences under Sections 7/13(2) of the Prevention of Corruption Act, 1988 and some other offences. A charge sheet was filed in the criminal court and on conclusion of the trial, the applicant had been convicted vide judgment dated 13.02.2015 and sentenced to rigorous imprisonment for two years and

three years concurrently besides fine of Rs.10,000/- and Rs.15,000/- for each offence, and in default, further simple imprisonment for two/three months respectively.

2. During the pendency of the trial, the applicant superannuated from service on 31.07.2012. In view of the conviction, the respondents have passed the impugned order dated 09.08.2016 permanently withholding the pension and gratuity of the applicant in full. It is this order, which is the subject matter of challenge in the present OA.

3. Learned counsel for the applicant submits that an appeal against the conviction is pending before the Hon'ble High Court in Criminal Appeal No.349/2015 wherein sentences have been suspended in terms of order dated 20.03.2015 in Cr. M.A. No.4162/2015.

4. After arguing for some time, learned counsel for the applicant seeks to withdraw this Application with liberty to seek appropriate remedy on the outcome of the criminal appeal pending before the Hon'ble High Court. Prayer allowed. OA is dismissed as withdrawn.

**( K.N. Shrivastava )**  
**Member(A)**

**(Justice Permod Kohli)**  
**Chairman**

/vb/

