

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A.No.1745/2017

Thursday, this the 18th day of May 2017

Hon'ble Mr. K.N. Shrivastava, Member (A)

B.S. Jarial (Aged 61 years)
S/o late Sh. G.S. Jarial,
R/o Flat No. 43, MBK Apartments,
Sector 13, Dwarka, New Delhi-78. ... Applicant

(Applicant in person)

Versus

1. Govt. of NCT of Delhi
Through Chief Secretary, NCT of Delhi,
Delhi Secretariat, IP Estate,
New Delhi-110002.
2. The D.G. (Prisons),
Prison Headquarter
Near Lajpwanti Chowk,
New Delhi-110064.
3. The Superintendent,
Central Jail No. 1, Tihar Jail,
New Delhi-110064. ... Respondents

O R D E R (ORAL)

The applicant retired as a Deputy Superintendent of Central Jail, Tihar. He was served a major penalty charge sheet dated 22.10.2013 which has been challenged by the applicant in OA No. 4261/2013 and the same is pending before a Co-ordinate Bench. Due to the pendency of the disciplinary enquiry proceedings pursuant to the charge sheet, the respondents have not released the retiral dues of the applicant except that the applicant has been sanctioned provisional pension.

2. The applicant in the present OA has prayed for release of his retiral dues, viz. gratuity, commutation of pension, etc. This relief cannot be granted to him at this stage since disciplinary enquiry proceedings are still pending against him. In this view of the matter, the applicant seeks leave of this Tribunal to withdraw this OA with liberty to take further action in accordance with law.

3. Prayer is allowed. The OA is dismissed as withdrawn with above liberty.

(K.N. Shrivastava)
Member (A)

/ns/