

Central Administrative Tribunal Principal Bench, New Delhi

O.A.No.3358/2013

Thursday, this the 21st day of July 2016

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

Dr. (Smt.) Usha Soren Singh
43, Nav Shakti Sadan
Sec – 13, Rohini, Delhi-85

..Applicant

(Mr. C S S Pillai for Mr. J S Mann, Advocate)

Versus

1. Secretary
Ministry of Health & Family Welfare (GOI)
Department of Health and Family Welfare
Nirman Bhawan, New Delhi – 110 001
2. Director General Health Services
Directorate General of Health Services
Nirman Bhawan, New Delhi – 110 001
3. Deputy Director, Administration (EPI Section)
Directorate General of Health Services
Nirman Bhawan, New Delhi – 110 001
4. Under Secretary (Vigilance Section)
Ministry of Health & Family Welfare (GOI)
Department of Health and Family Welfare
Nirman Bhawan, New Delhi – 110 001
5. Deputy Secretary (Vigilance Section)
Ministry of Health & Family Welfare (GOI)
Department of Health and Family Welfare
Nirman Bhawan, New Delhi – 110 001

..Respondents

(Mr. Satish Kumar, Advocate)

O R D E R (ORAL)

Justice Permod Kohli:

When the applicant was serving as Director, Central Research Institute (CRI), Kasauli, Himachal Pradesh, she was served with a memorandum of charge dated 17.08.2007 (Annexure A-1) for initiating the disciplinary proceedings

under Rule 14 of the Central Civil Services (Classification, Control & Appeal) Rules, 1965 along with the articles of charges, and the inquiry was held. However, on the advice of the Union Public Service Commission (UPSC), *de novo* inquiry was ordered, which was completed and finally the disciplinary authority withdrew the charges. The applicant has challenged the disciplinary proceedings initiated vide memorandum dated 17.08.2007, as also the order dated 20.04.2012 (Annexure A-12) for ordering *de novo* inquiry. The further prayers made in this O.A. are for release of payment of consequential benefits, regular pension and other retiral benefits along with interest @ 24% per annum.

2. Learned counsel for the parties agree that since the disciplinary proceedings stand terminated against the applicant with her exoneration, the relevant claim in this O.A. as regards the challenge to the disciplinary proceedings is rendered infructuous. The applicant having been cleared of the disciplinary proceedings, she is entitled to the pensionary benefits. Learned counsel for applicant submits that all pensionary benefits have been released, except the interest on the gratuity and some other retiral benefits.

3. This being the position, the O.A. is disposed of with direction to the respondents to release all remaining post-retiral benefits, if any, to the applicant along with permissible interest on gratuity and other post-retiral benefits, within a period of three months from the date of receipt of a copy of this Order. No costs.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

July 21, 2016
/sunil/