

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 3422/2013

New Delhi, this the 1st day of September, 2015.

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)

G.L.Juneja
S/o Mr. Gurdial
R/o WZ-220/J-60
Vishnu Garden,
New Delhi. ... Applicant

(Applicant in person)

Versus

1. Union of India through its
Secretary Telecommunications
Department of Telecommunication
Sanchar Bhawan
20, Ashoka Road
New Delhi.

2. The Chief General Manager
Telecom Department
Haryana Circle
Ambala Cantt.
Haryana. ... Respondents

(By Advocate : Shri Rajesh Katyal for R-1 and
Shri Sameer Aggarwal for R-2)

ORDER (ORAL)

Shri M.K. Bhardwaj, the learned counsel appearing for the applicant, submits that the applicant will argue the matter in person.

2. Heard the applicant, who appeared in person, and the counsels for the respondents.

3. The present O.A. has been filed by the applicant, who was dismissed from service, seeking the following relief(s):

- “(i) To allow the Original Application of the Applicant and call the original records of the respondents for the kind perusal of this Hon’ble Tribunal;
- (ii) To direct the respondents to dispose of the representation dated 10.07.2013 of the applicant;
- (iii) To direct the respondents to issue the pensionary benefits i.e. pension, gratuity, leave encashment and interest on GPF amount from 01.02.2002 to 31.07.2004.
- (iv) To pass any other further orders/directions as deemed fit and proper in the facts and circumstances of the case besides costs of this application by this Hon’ble Tribunal.”

4. The applicant was dismissed from service on 31.01.2002, consequent to certain disciplinary proceedings initiated against him and the said order attained finality.

5. The learned counsel for respondent No.2 submits that a dismissed employee is not entitled for the relief claimed by the applicant, such as, the pension etc., and hence, the action of the respondents in denying the said benefits to the applicant is legal and valid.

6. The applicant, while not disputing the aforesaid fact, submits that under Rule 41 of CCS (Pension) Rules, a dismissed employee is entitled for Compassionate Pension. He also admits that he has not made any representation for the same.

7. In the circumstances, the O.A. is dismissed, being devoid of any merit. However, the applicant is at liberty to make an appropriate representation in respect of Compassionate Pension, and if such a representation is made by the applicant within a reasonable time, the respondents shall consider the same and pass appropriate reasoned and speaking orders thereon, in accordance with law, within 90 days therefrom. No order as to costs.

(V. AJAY KUMAR)
Member (J)

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