

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

O.A.No.3630/2013

This the 14th day of October, 2015

Hon'ble Shri Justice L.N. Mittal, Member (J)
Hon'ble Shri Shekhar Agarwal, Member (A)

Nit Ram Arya

S/o Late (Shri) Chandra Ram

Aged about 62 years

R/o C-45, Inderpuri

New Delhi.

... Applicant

(By Advocate : Mrs.Rani Chhabra)

Versus

1. Bharat Sanchar Nigam Limited
Through its Chairman cum Managing Director
H.C. Mathur Lane
Janpath, New Delhi-110001.
2. Chief Vigilance Officer,
Bharat Sanchar Nigam Limited,
Ground floor, Eastern Court Complex,
Near Sanchar Haat, Janpath,
New Delhi-110001
3. Chief General Manager Telecom, U.P.(West)
Telecom Circle, BSNL,
T.E. Building, Shastry Nagar,
Meerut-250001.
4. General Manager - Finance
Office of the Telecom Circle,
BSNL, T.E. Building, Shastry Nagar,
Meerut-250001.
5. General Manager

Telecom District- Bareilly,
C.T.O. Compound,
Cantonment
Bareilly-243001.

... Respondents

(By Advocate: Shri M.M.Sudan)

ORDER (ORAL)

By Justice L.N. Mittal, Member (J)

Applicant Nit Ram Arya has sought the following relief in the instant OA:-

"a. direct the Respondents to release the gratuity, commutation value of pension, full pension and interest on G.P.F. on account of delay payment along with compound interest thereon."

2. The gratuity, commutation value of pension and full pension were withheld because the applicant was facing disciplinary proceedings. However, provisional pension had been released to him.

3. Now it is admitted case that the disciplinary proceedings have culminated into punishment order dated 17.09.2015 passed by the respondents (filed by the applicant on 09.10.2015), thereby imposing penalty of 5% cut in pension for a period of one year on the applicant.

4. In view of the aforesaid, learned counsel for the respondents submitted that gratuity, commutation value of pension and final pension shall be released to the applicant as per

rules. Counsel for the applicant submitted that the respondents may be directed to do so within short specified period.

5. In view of the aforesaid, OA is disposed of by directing the respondents to release gratuity, commutation value of pension and final pension to the applicant as per rules within a period of 2 months from the date of receipt of certified copy of this order, failing which the applicant shall also be paid interest at the rate of 9% per annum for the delayed period. No order as to cost.

(Shekhar Agarwal)
Member(A)

(Justice L.N. Mittal)
Member(J)

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