

**Central Administrative Tribunal
Principal Bench**

OA No.3696/2015

New Delhi, this the 7th day of October, 2015

Hon'ble Mr. Justice B.P. Katakey, Member (J)
Hon'ble Mr. V.N. Gaur, Member (A)

Kanwal Dass (Retd),
S/o Shri Jamuna Dass,
93 B DDA Flats,
Mata Sundari Road,
Delhi-110002.

...applicant

(By Advocate : Shri Deepak Verma)

Versus

1. The Secretary,
Ministry of Personnel, PG & Pensions,
Dept. of Personnel & Training,
North Block,
New Delhi-110001.
2. The Secretary,
Union Public Service Commission (UPSC),
Dholpur House, Shahjehan Road,
New Delhi-110069.
3. The Secretary,
Dept. of Expenditure, Staff Inspection Unit (SIU),
Ministry of Finance, North Block,
New Delhi.
4. The Secretary,
Deptt. Of Indian System of Medicine & Homeopathy (ISM&H)
,Ayush Bhawan,
B-Block, GPO Complex,
INA, New Delhi-110023.

...respondents

(By Advocate : Shri Gyanendra Singh)

ORDER (ORAL)**Mr. Justice B.P. Katakey, Member (J) :-**

Heard Shri Deepak Verma, learned counsel for the applicant as well as Shri Gyanendra Singh, the learned counsel for the respondents.

2. The applicant has filed this OA challenging the order dated 25.01.2010, imposing penalty of withholding 25% of monthly pension on permanent basis, amongst other ground that though the Disciplinary Authority has relied upon the advice of the UPSC, the said advice was not furnished to the applicant for his comment before passing said order by the Disciplinary Authority. It has also been submitted that though a revision petition under Rule 29 of CCS (CCA) Rules, 1965 was filed on 17.04.2013, the same has not been disposed of till date.

3. The learned counsel for the applicant, therefore, submits that the OA may be disposed of directing the Revisional Authority to decide the revision petition in accordance with law taking into account the aforesaid submission made by the applicant in the present Original Application.

4. The learned counsel for the respondents submits that the Revision, if pending, would be disposed of in accordance with law.

5. Since it is the claim of the applicant that despite filing of the revision petition on 17.04.2013, the same has not been disposed of, we dispose of the OA directing the Revisionary Authority to decide the same in accordance with law within a period of two months from the date of receipt of a copy of the order passed today, provided the same has not already been disposed of. Needless to say that such disposal is to be made in accordance with law and having regard to the aforesaid submission of the applicant in the OA. The order that may be passed shall be communicated to the applicant. It also goes without saying that if the applicant is aggrieved by the order that may be passed by the Revisional Authority, it is open to him to approach the appropriate forum.

(V.N. Gaur)
Member (A)

(Justice B.P. Katakey)
Member (J)

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