

**Central Administrative Tribunal
Principal Bench**

OA-3868/2014

New Delhi, this the 16th day of March, 2018

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

Sh. Vir Singh Rajora,
S/o late Sh. Kashi Ram,
Aged about 67 years,
R/o A-2/430, Nand Nagari,
Delhi-110093.

... Applicant

(through Sh. T.D. Yadav)

Versus

1. Govt. of NCT of Delhi, through
Chief Secretary, Delhi Secretariat,
IP Estate, New Delhi.
2. Director of Education,
Old Secretariat, Delhi-110054.
3. Dy. Director of Education,
B-Block, Directorate of Education,
Distt. North East,
Yamuna Vihar, Delhi.
4. Principal,
Sarvodaya Bal Vidyalaya,
C-Block, Dilshad Garden, Delhi.

... Respondents

(through Sh. Vijay Pandita)

O R D E R (ORAL)

The applicant retired from the post of UDC in Education department of GNCTD on 31.01.2007. Apparently, a criminal case was registered against him and some other co-accused by CBI and FIR to this effect was registered on 31.10.2005. The criminal case is still pending. Sh. Vijay Pandita, learned counsel for the respondents informed that charge sheet in the criminal case has also been filed in the CBI court.

2. Through the medium of this OA, the applicant has prayed for the following reliefs:

"(i) to direct the respondents to release all the pensionary benefit like gratuity and commutation of pension and other benefits to the applicant.
(ii) to direct the respondents to grant 24% interest on delayed payment of all retirement benefits including leave encashment
(iii) to direct the respondents to grant the benefit of II ACP to the applicant.
(iv) to direct the respondents to give all consequential benefits to the applicant like arrears etc. and to direct the respondents to revise all the pensionary benefits after granting relief (ii) to the applicant.
(v) to pass any other order(s) as may be deemed fit and proper in the facts and circumstances of the case.
(vi) Award cost."

3. Sh. T.D. Yadav, learned counsel for the applicant submitted that during the pendency of this OA, the respondents have released leave encashment benefits to the applicant on 06.06.2009. He further submits that only claim of the applicant for gratuity and commutation of pension are pending.

4. It is not in dispute that the criminal case against the applicant and other co-accused is still pending in the CBI court. In view of this, it will not be possible for the respondents to release the remaining pensionary benefits to the applicant. Hence, I do not find any merit in this OA and accordingly the same is dismissed. No orders required.

**(K.N. Shrivastava)
Member (A)**

/ns/