

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A./100/2496/2015

New Delhi, this the 29th day of November, 2018

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

Smt. Rachna Goel
W/o Shri Kamal Goel (Retd. as Principal)
M.C. Primary School,
Nangli Rajapur, Delhi
R/o R-6/230, Old Raj Nagar,
Central Park, Ghaziabad, U.P. ... Applicant

(None appeared)

Versus

1. South Delhi Municipal Corpn.,
Through the Commissioner
9th Floor, Civic Centre,
Jawahar Lal Nehru Marg,
New Delhi-110002
2. The Director (Primary Education)
Central Zone
South Municipal Corporation
Lajpat Nagar, New Delhi
3. North Delhi Municipal Corporation
Through Its Commissioner
City Zone, New Delhi

(Through Shri R.K. Jain, Advocate)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman

The applicant retired from the service of South Delhi Municipal Corporation (SDMC) as Principal of a Primary School. She was placed under suspension on

20.09.2011. Before retirement, she remained under suspension from 20.09.2011 to 20.09.2013. This O.A. is filed with a prayer to direct the respondents to pay full wages for the period during which the applicant was under suspension and to extend her benefits of ACP and MACP, which she is entitled to. Prayer is also made for determination of her retiral benefits.

2. The applicant contends that she was wrongfully denied salary and retirement benefits for the period of suspension.

3. The respondents filed detailed counter affidavit opposing the O.A. They stated that non-payment of salary and other dues was on account of pendency of disciplinary proceedings against the applicant.

4. Heard Shri R.K. Jain, learned counsel for the respondents. None appeared on behalf of the applicant.

5. The applicant retired from service way back on 30.06.2014. Four years have elapsed since her retirement. It appears that the reason for non-payment of retirement benefits to the applicant is pendency of disciplinary proceedings. Across the Bar, it is stated that through an order dated 6.08.2018, the disciplinary

proceedings against the applicant have been dropped and vide order dated 4.10.2018, the period of suspension is directed to be treated as spent on duty. With this, the way has now become clear for extension of all the benefits, including pension, to the applicant.

6. We, therefore dispose of the OA directing that the respondents shall determine and pay all the benefits including the differential salary for the period of suspension, benefits of ACP and MACP, as are applicable and the retirement benefits of the applicant within a period of two months from the receipt of a certified copy of this order. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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