

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA



No.O.A. 350/182/2017

Date of order : 08.11.2017

**Coram : Hon'ble Ms. Manjula Das, Judicial Member**  
**Hon'ble Ms. Jaya Das Gupta, Administrative Member**

Sri Kamalesh Pal, son of U.B. Pal,  
Retired from service, under respondent  
authority, residing at 122, Rabindra Sarani,  
P.O. Nimta, Near Doctor Bagan,  
Kolkata-700 0049.

.....Applicant

- Versus-

1. The Secretary, Ministry of Finance,  
Deptt. Of Revenue, Central Board of Excise & Customs,  
R.K. Puram, New Delhi-110 066;

2. The Under-Secretary, Govt. Of India,  
R.K. Puram, New Delhi-110 066;

3. The Commissioner, Kolkata -IV,  
Commissionerate, M.S.O. Building,  
15/1, Strand Road, 7<sup>th</sup> floor,  
Kolkata-700 001;

4. The Commissioner of Customs (Preventive),  
West Bengal, 15/1, Strand Road, Customs House,  
Kolkata-700 001;

..... Respondents

For the applicant : Mr. N. Roy , counsel

For the respondents : Ms. D. Nag, counsel

A handwritten signature in black ink, appearing to be "D. Nag", written in a cursive style.

ORDER (ORAL)

Ms. Manjula Das, Judicial Member

The instant O.A. has been filed by the applicant under Section 19 of the Central Administrative Tribunals Act, 1985 seeking the following reliefs:-

- a) To issue direction upon the respondent authority that the entire proceeding should be completed within 3 months and retiral benefit be given to the applicant forthwith;
- b) To issue further direction upon the respondent that the entire service like as gratuity, pensionary benefit along with all consequential benefit be given forthwith;
- c) To issue further direction upon the respondent authority, that the entire service be given forthwith and delayed payment of 12 interest should be given to the applicant;
- d) Any other order or orders as the Ld. Tribunal deem fit and proper;
- e) To produce connected departmental record at the time of hearing."

2. We have heard ld. counsel for both sides.

3. The ld. counsel for the applicant submits that a disciplinary proceeding was initiated against the applicant by the department while he was in service and during pendency of the said proceeding he retired from service in the year 2011, but the said proceeding has not been completed till date as a result of which he has not been paid his retiral benefits. He further submits that the respondent authorities may be directed to complete the disciplinary proceeding against the applicant within a time frame. Ld. counsel for the respondents raised no objection to such prayer.

4. In view of the above, the competent respondent authority is directed to complete the disciplinary proceeding against the applicant and pass necessary orders as per the rules and regulations in force within a period of three months from the date of receipt of this order. The applicant is directed to cooperate with



the authorities in this regard. The decision so arrived at shall be communicated to the applicant forthwith.

5. It is made clear that we have not gone into the merits of the case and all the points are kept open for consideration by the respondent authorities.

6. With the aforesaid observations and directions, the O.A. stands disposed of. No order as to costs.

(JAYA DAS GUPTA)  
Administrative Member

(MANJULA DAS)  
Judicial Member

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