

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
(CIRCUIT AT PORT BLAIR)**

No. O.A. 351/00174/2015

Date of order : 18.4.2016

Present : Hon'ble Justice Shri Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

G. RANGARAJ

VS.

A & N Administration (Shipping)

For the Applicant

Mr. R. Singh, Counsel
Mr. T. Das, Counsel

For the Respondents

Mr. S.K. Mandal, Counsel
Mr. S.C. Misra, Counsel

ORDER (Oral)

Justice Shri Vishnu Chandra Gupta, Judicial Member:

We have heard Ld. Counsel for the applicant and Ld. Counsel for the respondents at the stage of admission.

2. The applicant has been chargesheeted when he was in active service in 2011. Objections/Reply has been filed but enquiry has not yet been concluded. The applicant retired on 31.3.2016.

3. Our attention has been drawn towards a letter issued on 16.4.2015 by Asstt. Director (Admn.) asking the status of enquiry against applicant. Whether any order under Rule 9 of CCS (Pension) Rules, 1972 has been passed is not known? However, the inquiry proceedings not yet been dropped against the applicant.

4. The charges were framed in 2011. Reply was already filed but enquiry officer has not taken any decision thereon.

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5. So, if the enquiry has not yet been dropped, the enquiry officer may decide the preliminary question regarding competence of authority who issued memo of charge within three months from the date of communication of this order. The provisional pension should be granted in accordance with law to the applicant within a period of three months.

4. Hence, the O.A. is accordingly disposed of at the admission stage. There shall be no order as to costs.

(Jaya Das Gupta)
MEMBER(A)

(Vishnu Chandra Gupta)
MEMBER(J)

SP