

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A. No.60/1185/2018

Date of decision: 26.04.2019

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

Om Kumar aged about 63 years, S/o Mela Ram, Retd. Area Mail Overseer, Department of Posts, O/o Inspector Post Office, Dasuya, under Head Office, Dasuya, Distt. Hoshiarpur, R/o Village Bankaranpur, P.O. Talwara, Tehsil Mukerian, Distt. Hoshiarpur. Pin Code-146001. Group C.

**... APPLICANT
VERSUS**

1. Govt. of India through the Secretary, Ministry of Communications & IT, Department of Posts, Sanchar Bhawan, 20 Ashoka Road, New Delhi-11000.
2. The Post Master General, Punjab West Region, Department of Posts, Sector 17-E, Sandesh Bhawan, Chandigarh, Pin Code-160017.
3. The Sr. Superintendent of Post Offices, Hoshiarpur Division, Hoshiarpur, Pin Code-146001.

... RESPONDENTS

PRESENT: Sh. Sanjiv Dahiya proxy, counsel for the applicant.
Sh. Sanjay Goyal, counsel for the respondents.

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. Present O.A. has been filed seeking following reliefs:-

"8(a). For quashing the impugned inquiry report issued vide letter dated 05.8.2016 (A/3) being against the facts on record and applicant may kindly be exonerated for the charges alleged to be proved against " him, which are not justified on the face of documentary evidence and statement of the department witnesses and also in view of the order dated 27.12.2016 by which, respondent no.3 ordered to drop inquiry proceedings against the applicant (A/7) and without applying judicial mind and thus not sustainable in the eyes of law and may kindly be set-aside/quashed, in the interest of justice.

(b). Direct the respondents to grant pension and other pensionary benefits i.e. full pension, commutation of pension, gratuity, leave encashment, revised pension as per 7th Pay Commission report

applicable w.e.f. 01.01.2016, arrears thereon, along with interest @12% p.a., in the interest of justice.

2. On the previous date, learned counsel for the applicant had submitted that despite the fact that an interim order has been passed on 27.12.2016 (Annexure A-7) for dropping inquiry proceedings against the applicant, respondents have not dropped proceedings. An argument was raised by learned counsel for the respondents that since applicant has retired therefore, matter is pending with President of India for approval. Accordingly, learned counsel for the respondents was directed to find the out-come of Annexure A-7 dated 22.12.2016, whereby a recommendation has been made for dropping charge-sheet against the applicant.
3. Today, Sh. Sanjay Goyal, produced copy of order dated 8.4.2019 issued by Director (VP), whereby President of India has accepted recommendations dated 22.12.2016 for dropping of charges against the applicant. The same is taken on record. Based thereupon, he submitted that present O.A. has been rendered infructuous and may be disposed of as such.
4. Considering above, the O.A. is disposed of as having been rendered infructuous, with direction to the respondents to release all the consequential benefits arising therefrom within a period of two month from today.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 26.04.2019
Place: Chandigarh.

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