

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO. 060/268/2019

Chandigarh, this the 18th day of March, 2019

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

...

Jit Singh, aged about 72 years son of Sh. Inder Singh, resident of House No. 165, Nar Big Gurudwara, Ward No. 10, Moonak, District Sangrur-148033 (Punjab) Group-C.

....APPLICANT

(By Advocate: Ms. Anita Sharma)

VERSUS

1. Union of India through Secretary, Department of Tele-Communication, 20 Ashoka Road, Sanchar Bhawan, New Delhi-110001.
2. The Chief General Manager, Bharat Sanchar Nigam Limited, Sector 34, Chandigarh-160022.
3. The General Manager Telecommunication, BSNL, Sangrur, Punjab 148033.

....RESPONDENTS

(By Advocate: Shri K.K. Thakur)

ORDER (oral)

SANJEEV KAUSHIK, MEMBER (J)

Heard Ms. Anita Sharma, learned counsel for applicant.

2. The present Original Application (O.A.) has been filed where the applicant seeks the following reliefs:-

- a. Arrears of period of suspension from 6.10.2000 to 25.1.2001 then 31.01.2004 to 30.06.2004.
- b. Full service benefits from 01.07.2004 to 30.04.2006, when he was dismissed from service till his superannuation i.e. 30.04.2006.
- c. Retiral benefits and pension from 30.04.2006 i.e. "the date of his superannuation", to till date.
- d. Allowing interest @ 18% per annum till its realization.

e. Also be granted Rs. 50,000/- as litigation expenses.”

3. We have heard Ms. Anita Sharma, learned counsel for applicant, who submitted that the applicant was convicted for the offence under Section 7 and 13(1) (d) punishable under Section 13(2) of Prevention of Corruption Act, 1988 by the Special Judge, CBI, Punjab at Patiala vide order dated 31.01.2004. However, he was acquitted by the Hon'ble Punjab and Haryana High Court vide judgment dated 15.11.2017 passed in Criminal Appeal NO. S-535 of 2004 (O & M).

4. The applicant was issued charge-sheet for the same set of charges, but no penalty was imposed upon him as the inquiry was closed. Therefore, the learned counsel for applicant submits that once the applicant has been acquitted by the court of law in the criminal case, therefore, the applicant become entitled for grant of all service benefits and pension as per law. The applicant submitted various representations vide Annexures A-2 to A-8, followed by legal notice dated 3.10.2018, (Annexure A-9) but till date the respondents have not replied to the same. Therefore, she suffers a statement at the Bar that the applicant would be satisfied if a time-bound direction is issued to respondents to decide his pending legal notice.

5. Issue notice to respondents.

6. Mr. K.K. Thakur, learned Standing Counsel for UOI, present in Court, accepts notice and does not oppose the prayer for disposal of the O.A. in the requested manner.

7. In the wake of above, this O.A. is disposed of in limine, without going into merits of the case, with a direction to the Competent Authority amongst the respondents to decide the indicated legal notice of the applicant, in accordance with law, by passing a reasoned and speaking order within a period of one month from the date of receipt of certified copy of this order as the applicant is a senior citizen. The order so passed be communicated to the applicant.

8. The disposal of the O.A. will not be construed as an expression of opinion on the merit of the case.

(P.GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 18.03.2019

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