

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**C.P. No. 136/2019 in
O.A. No. 720/2019**

New Delhi, this the 4th day of October, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)**

Suresh Sharma
Retired Additional Controller (Admn.), NTRO
Aged 64+ years (Senior Citizen)
S/o Late Shri O.P. Sharma
R/o 305, Pink Apartments,
Sector 18-B, Dwarka,
New Delhi-110078.

.. Applicant

(By Advocate: Shri M.K. Bhardwaj)

Versus

1. Shri Satish Kumar Jha
National Technical Research Organisation
Block-III, Old JNU Campus
New Delhi-110067.
2. Ms. Anuradha Joshi Durgapal
The Controller of Administration
National Technical Research Organisation
Block-III, Old JNU Campus
New Delhi-110067.
3. Shri Rajiv Narayan
Head of Office
National Technical Research Organisation
Block-III, Old JNU Campus
New Delhi-110067.
4. Shri Kailash Nath Tiwari
Accounts Officer

Directorate of Audit and Accounts
National Technical Research Organisation
Block-III, Old JNU Campus
New Delhi-110067.

5. Shri Debashish Dey
Dy. Director (Estt.-I)
NTRO, Block-III, Old JNU Campus
New Delhi-110067.

... Respondents

(By Advocate : Shri Hanu Bhaskar)

O R D E R (ORAL)

Justice L. Narasimha Reddy, Chairman

The applicant filed O.A. No.720/2019 challenging the three orders of punishment imposed against him, directing the forfeiture of pension for certain periods. To be precise, the 1st order is dated 20.10.2017, imposing the penalty of deduction of 10% monthly pension for two years; the 2nd order is dated 29.06.2018 imposing the penalty of deduction of 20% monthly pension for five years; and the 3rd one is dated 11.07.2018 imposing penalty of forfeiture of 10% pension for a period of one year.

2. An interim order was passed directing that the deduction of pension shall be in accordance with the relevant rules.
3. This Contempt Petition is filed alleging that the respondents continued to operate all the three orders of penalty, despite the interim order.
4. The respondents filed counter affidavit opposing the CP. It is stated that the deduction under the 3rd order dated 11.07.2018 ended in July 2019 itself and the 1st order dated 20.10.2017 comes to an end during this month. Only the 2nd order dated 29.06.2018 will remain in operation.
5. The applicant placed reliance upon a letter dated 30.07.1981, issued by the Director General, Posts and Telegraph.
6. We heard Shri M.K. Bhardwaj, learned counsel for the petitioner and Shri Hanu Bhaskar, learned counsel for the respondents.

7. The applicant is not able to place before us any specific provision of law akin to Section 60 of the CPC, dealing with the method of deductions. The letter dated 30.07.1981 pertains to the Department of Posts and Telegraph, issued in respect of serving employees, whereas the applicant is a retired employee.

8. Be that as it may. The deductions under two orders of penalty have already been effected. Order dated 29.06.2018 alone remains in operation.

9. We do not find any merit in the CP and, accordingly, the same is closed. There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/jyoti/