

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00843/2019
Chandigarh, this the 19th day of August, 2019

...
CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. A.K. BISHNOI, MEMBER (A)

Hari Singh son of Gurdial Singh, aged 61 years, Resident of VPO Chattbir, District SAS Nagar – 140603.

(ASI (Retd.) from Chandigarh Police, Belt No. 876/CHG (Group C)

....Applicant

(Present: Mr. Neeraj Yadav, Advocate)

Versus

1. U.T. of Chandigarh through its Home Secretary, U.T. Secretariat, Sector 9, Chandigarh – 160009.
2. Director General of Police, Chandigarh Police Headquarter, Sector 9, U.T. Chandigarh – 160009.
3. Senior Superintendent of Police, Chandigarh, Police Headquarter, Sector 9, U.T. Chandigarh – 160009.

.... Respondents

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. Learned counsel submitted that the applicant retired on superannuation on 31.03.2016, but since an FIR was pending against him and he was convicted by the Trial Court, his retiral benefits including regular pension and gratuity were not released. It is further submitted that in an appeal filed by the applicant, the Appellate Court modified the order of the Trial Court, and he was released on probation of one year, vide judgment dated 17.11.2017 (Annexure A-5). Applicant submitted a representation dated 06.12.2018 (Annexure A-6), followed by legal notice dated 13.03.2019 (Annexure A-7) to the respondents to release his pensionary benefits in view of his release

on probation by the Appellate Court, but the same have not been decided till date.

2. Learned counsel prays that the applicant would be satisfied if a direction is issued to the respondents to decide the claim of the applicant in accordance with law.

3. Considering the short prayer made by the learned counsel for the applicant, we deem it appropriate to dispose of the O.A., in limine, with a direction to the respondents, to decide the issue raised by the applicant, by way of indicated representation and legal notice (Annexure A-6 and A-7) in accordance with law, by passing a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. A copy of the order so passed be duly communicated to the applicant.

4. Needless to mention, that the disposal of the O.A. shall not be considered as an expression of any opinion on the merit of the case. No costs.

(A.K. BISHNOI)
MEMBER (A)

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(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 19.08.2019