

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00909/2019
Chandigarh, this the 2nd day of September, 2019

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

...
Parveen Kumar Garg, aged 64 years , son of Shri Pawan Kumar, resident of 905, Phase-XI, Sector 65, SAS Nagar, Mohali, retd. SR. CE (Civil) CSIR Group B

....**Applicant**

(Present: Mr. Vivek Salathia, Advocate)

Versus

1. Council of Scientific and Industrial Research (CSIR), Anusandhan Bhawan, 2 Rafi Marg New Delhi through its President.
2. Chief Vigilance Officer, Council of Scientific and Industrial Research (CSIR), Anusandhan Bhawan, 2 Rafi Marg, New Delhi.
3. Director, CSIR-CSIO (Adhoc Disciplinary Authority) Sector 30-C, Chandigarh.
4. Director, CSIR-CCMB, Centre for Cellular and Molecular Biology, Uppal Road, Hyderabad.
5. Controller of Administration (CoA), Centre for Cellular and Molecular Biology, Uppal Road, Hyderabad.

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Respondents

(Present: Mr. Sanjay Goyal, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. The main prayer in the O.A. is for issuance of a direction to the respondents to decide the statutory appeal (Annexure A-6) filed by the applicant against the order dated 22.02.2019 (Annexure A-5), in a time bound manner. His further prayer is to direct the respondents to release the pensionary benefits including gratuity, encashment of leave and retirement TA to the applicant.
2. Heard.
3. Learned counsel submitted the Competent Authority, vide order dated 22.02.2019, imposed penalty of 50% cut in pension. In

furtherance thereto, an office memorandum dated 27.02.2019 (Annexure A-6) was issued by the Controller of Administration stating therein that pension and other pensionary benefit like gratuity encashment of leave and retirement TA be released to the applicant. He contends that despite issuance of the aforesaid office memo, the relevant pensionary benefits have not been released to the applicant. He prays that the respondents be issued a direction to take a view of the pending statutory appeal of the applicant and to release the pensionary benefits in the meantime.

4. Issue notice.

5. At this stage, Mr. Sanjay Goyal, Sr. CGSC, appears and accepts notice. He does not object to the disposal of the O.A in the above manner.

5. In the wake of above, this O.A. is disposed of, in limine, with a direction to the respondents to take a call and decide the indicated statutory appeal of the applicant, in accordance with law, by passing a reasoned and speaking order, within a period of six weeks, from the date of receipt of a copy of this order. The respondents are also directed to comply with their own office memo dated 27.02.2019 and release the relevant benefits, in the meantime.

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

**(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 02.09.2019**

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