



CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1430/2003

New Delhi, this the 20th day of November, 2003

Hon'ble Sh. Sarveshwar Jha, Member (A)

Amrit Ram (Staff No. TK-6153)
(Retired Supervisor)
Deptt. of Telecom
R/o House No.3, Village Tajpur
P.O. Badarpur, New Delhi - 110 044.

...Applicant

(By Advocate Sh. S.N. Anand)

V E R S U S

1. Union of India through
Secretary, Deptt. of Telecommunications
Ministry of Communications
20, Ashoka Road, New Delhi - 110 001.

2. The Chief General Manager
Deptt. of Telecommunications
Maintenance 'N' Region
Kidwai Bhawan, New Delhi.

3. The Chief General Manager Telecom
Deptt. of Telecommunications
Haryana Circle, Ambala.

4. The General Manager
Deptt. of Telecommunications
Faridabad Telecom District
Sector 16, Faridabad.

...Respondents

(By Advocate Sh. R.N. Singh)

O R D E R (ORAL)

Heard.

2. The applicant has preferred this OA assailing the arbitrary and discriminatory action of the respondents in withholding his retiral benefits including commutation, gratuity, full pension etc. since 31-1-2001 when he retired on superannuation.

3. It is observed that disciplinary proceedings had been initiated against the applicant and two chargesheets had been served on him in

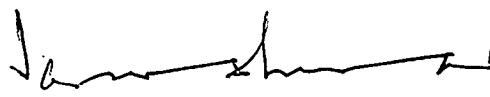
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February 1998 and June 1998. It has been further submitted that the disciplinary proceedings have since been concluded and, therefore, the retiral benefits, as prayed for by him, should have been paid to him.

4. The learned counsel for the respondents has, however, submitted that the disciplinary proceedings against the applicant were concluded only on 29-10-2003 when a displeasure note was conveyed to the applicant. It is only after the conclusion of the disciplinary proceedings in the above mentioned manner that a reference has been made to the competent authority, i.e., The Chief General Manager (Telecom), Ambala for making payments of retiral benefits in the case of the applicant. He has, therefore, contended that there has been no delay on the part of the respondents in the matter of making payment of retiral benefits to the applicant.

5. The learned counsel for the applicant has emphasized the fact that in a similar case of one Sh. B.B.Sharma, against whom also there was a disciplinary proceedings and which had been concluded with similar displeasure note, full payment of retiral benefits had been made with the conclusion of the disciplinary proceedings, and that the same dispensation may be extended to the applicant also. To this, the learned counsel for the respondents has submitted that the same dispensation has been initiated to be extended to the applicant with the conclusion of the disciplinary proceedings against him on 29-10-2003. He has

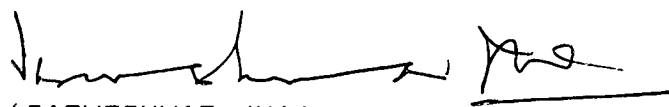
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reiterated that there has been no delay as such in the case of payment of retiral benefits to the applicant as the disciplinary proceedings in his case have been concluded as recently as 29-10-2003.

6. having considered the submissions of both the sides and also having perused the materials on record, I am of the considered opinion that, the prayer of the applicant being that the retiral benefits may be paid to him with the conclusion of the disciplinary proceedings against him as has been done in the other case referred to by him and also the fact that the respondents have submitted that necessary steps have already been initiated to make payment of retiral benefits in the case of the applicant with the conclusion of the disciplinary proceedings against him on 29-10-2003, it would be appropriate to dispose of the OA with directions to the respondents to expedite the payment of retiral benefits in the case of the applicant and to ensure that the same is completed within a reasonable period and in any case within a period not exceeding three months from the date of receipt of a copy of this order as permissible under the relevant rules relating to payment of pensionary benefits.

7. This OA thus stands disposed of with the above directions.


(SARWESHWAR JHA)
MEMBER (A)

/vikas/