

W.P.C.T. 200 of 2025

Surya Bali
Vs.
Union of India & Ors.

Mr. Salil Kr. Sarkar,
Mr. Surajit Dutta

...for the Petitioner

Mr. Debjyoti Deb,
Mr. Goutam Dey

...for the Union of India

1. The issue arising for consideration in the present case is whether the Central Administrative Tribunal's order whereby and whereunder the petitioner's claim for release of withheld gratuity has been rejected, is sustainable or not. The order of the Central Administrative Tribunal, Kolkata Bench ('Tribunal' for short) is dated 14.07.2025 passed in O.A. No. 1141 of 2024.
2. The writ petitioner was the applicant before the Tribunal. While he was in service, two criminal cases were lodged against him by two different persons. The first one being F.I.R. No.700 of 2022 dated 14.06.2022 lodged in Matigara Police Station. Another criminal case was lodged in Katka Police Station in the State of Uttar Pradesh on 03.01.2023. The allegation labelled against the petitioner in the criminal cases, are that he had promised to secure a job for the complainant in his department. In one of the cases a charge-sheet

has also been filed. The Charge-sheet has been filed in Katka Police Case No. 46 of 2021 dated 21st April, 2021.

3. The learned counsel for the writ petitioner submits that since the criminal cases were not related to his service, there was no power given to the authorities to withhold the gratuity. The further submission is that since there was no alleged loss caused to the department, withholding of gratuity was impermissible.
4. The learned counsel for the respondents draws attention of the Court towards the provisions contained in Rule 8(3) and Rule 8 4(c) of the CCS Pension Rules. It is submitted that there is a specific provision for withholding of gratuity under the circumstances, since the judicial proceedings were pending against him on the date of his retirement from service. The admitted position is that the petitioner has got all other retiral dues, and provisional pension.
5. Since, the withholding of the gratuity has been found by the Tribunal to be sustainable having regard to the nature of allegations related to his service and sustainable by provisions contained in the C.C.S. Pension Rules, and no provision is pointed to the contrary by the learned counsel for the writ petitioner, we find no reason to interfere with the order dated 14.07.2025 passed by the

Central Administrative Tribunal, Kolkata Bench in
O.A. No.1141 of 2024.

6. The Writ Petition being **W.P.C.T. 200 of 2025** is accordingly dismissed.
7. There will be no order as to costs.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)