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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3225/2026 and CM APPL. 15509/2026

STATE OF TAMIL NADU

.....Petitioner

Through: Mr. Balaji Subramaniam, AAG,
Mr. T Harish Kumar, Mr.
Shubham Kothari, Mr. Deepak
Jain, Mr. Aditya Rajagopal and
Mr. Akash Kundu, Advs.

versus

PRAMOD KUMAR & ORS.

.....Respondents

Through: Mr. Narender Hooda, Sr. Adv.
along with Mr. R. K. Mohit
Gupta, Mr. Aditya Samaddar,
Mr. Amit Kumar Kathuria and
Mr. Yuvraj Nandal, Advs. for
R-1.

Mr. Shashank Bajpai, CGSC,
Mr. Vikrant Malwal, GP, Ms.
Aashna Mehra, Mr. Vatsal
Tripathi and Mr. Govind Singh
Chauhan, Advs. for R-2.

Mr. Ravinder Agarwal, Mr.
Manish Kumar Singh and Mr.
Vasu Agarwal, Advs.

+ W.P.(C) 3231/2026, CM APPL. 15574/2026 and CM APPL.
15575/2026

STATE OF TAMIL NADU

.....Petitioner

Through: Mr. Balaji Subramaniam, AAG,
Mr. T Harish Kumar, Mr.
Shubham Kothari, Mr. Deepak
Jain, Mr. Aditya Rajagopal and
Mr. Akash Kundu, Advs.

versus

PRAMOD KUMAR & ORS.

.....Respondents

Through: Mr. A. K. Behera, Sr. Adv.



along with Mr. Akshay Ringe,
Mr. R. K. Mohit Gupta, Mr.
Aditya Samaddar and Mr. Amit
Kumar Kathuria, Advs.
Mr. Shashank Bajpai, CGSC,
Mr. Vikrant Malwal, GP, Ms.
Aashna Mehra, Mr. Vatsal
Tripathi and Mr. Govind Singh
Chauhan, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

18.03.2026

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1. These two connected Writ Petitions have been filed assailing two different orders passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi [hereinafter referred to as the 'Tribunal'].
2. W.P.(C) 3225/2026 has been filed against the Interim Order dated 07.01.2026 passed by the Tribunal in O.A 4687/2025 directing the Petitioner to release the leave encashment, provident fund and provisional pension equivalent to the regular pension to the Respondent. The Tribunal also directed the Petitioner to issue the Pension Payment Order ('PPO') in favour of the Respondent.
3. W.P.(C) 3231/2026 has been filed against the order dated 13.02.2026 passed by the Tribunal in PT/48/2026, whereby the request for transfer of the Original Application (O.A.) from the Tribunal at Principal Bench, New Delhi to the learned Central Administrative Tribunal, Chennai Bench [hereinafter referred to as 'Chennai Bench'], was dismissed.



4. Learned counsel representing the parties have been heard at sufficient length.
5. Admittedly, the departmental proceedings initiated against the Respondent were quashed by the Tribunal on 22.02.2024. Till today, the aforesaid order has not been challenged in any proceedings, and no order to the contrary has been produced before this Court.
6. Insofar as the criminal case is concerned, the charge against the Petitioner was quashed by the Madras High Court on 07.06.2024. Against the said order, a Special Leave Petition has been filed in the Supreme Court, in which only Notice has been issued; however, no interim relief has been granted.
7. The order passed by the Tribunal is only an interim order as the O.A. filed by the Respondent is pending consideration.
8. Learned counsel representing the Petitioner, while referring to Rule 6(2) of the All India Service (Death-cum-Retirement Benefits) Rules, 1958 [hereinafter referred to as 'Rules'], submits that provisional pension not exceeding the maximum pension is payable. He further submits that, in the present case, the same has been sanctioned at one-third of the otherwise admissible pension. He submits that the Tribunal has, therefore, erred in directing the release of full pension.
9. This Court has considered the submissions and is of the view that Rule 6 will be applicable only if there are pending departmental proceedings or a criminal case. As of today, neither any departmental proceedings nor any criminal case is stated to be pending against the Respondent. The view taken by the Tribunal is, at this stage, only *prima facie* and remains subject to the final order to be passed in the O.A of the Respondent.



10. By a separate order, the Tribunal has dismissed the application filed by the State of Tamil Nadu to transfer the O.A. from the Tribunal to the Chennai Bench. The Tribunal has exercised jurisdiction in accordance with the law.

11. Keeping in view the aforesaid position, this Court finds no ground to interfere with the orders passed by the Tribunal. Accordingly, the present Petitions, along with pending applications, are dismissed.

12. Learned counsel representing the Petitioner, at this stage, submits that the Tribunal, *vide* order dated 16.02.2026, directed that in the event the interim order dated 07.01.2026 is not complied with by the next date of hearing, it shall be constrained to initiate *Suo motu* contempt proceedings against the Chief Secretary of the State of Tamil Nadu. He prays for one month's time to comply with the interim order dated 07.01.2026.

13. Keeping in view the peculiar facts of the present cases, the Petitioner is directed to release the amount as per the interim order dated 07.01.2026 passed by the Tribunal within a period of one month; till then, the personal appearance of the Chief Secretary shall stand exempted.

14. A photocopy of the order passed today be kept in the connected matter.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MARCH 18, 2026

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