

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/155/2017

Date of Reserve:03.01.2020
Date of Order: 14.01.2020

CORAM:
HON'BLE MR.SWARUP KUMAR MISHRA, MEMBER(J)

Raghunath Pradhan, aged about 62 years, S/o. Dandapani Pradhan, Ex-Peon, Administration, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar, presently residing in B-210, DHPL Sahoo Complex, Rangamatia, Gadakana, Mancheswar, Bhubaneswar, Dist-Khurda-751 017.

...Applicant
By the Advocate(s)-M/s.P.K.Jena
N.Panda
D.P.Mohapatra

-VERSUS-

Union of India represented through:

1. The General Manager, E.Co.Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar.
2. Deputy General Manager, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar.
3. Chief Personnel Officer, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar.

...Respondents
By the Advocate(s)-Mr.T.Rath

ORDER

PER SWARUP KUMAR MISHRA, MEMBER(J):

Earlier, the present applicant had approached this Tribunal in O.A.No.260/00276/2016 praying for direction to be issued to Respondents for grant of retiral dues in his favour. This Tribunal, vide order dated 29.09.2016 disposed of the said O.A. in the following terms:

"3. After hearing Ld.Counsel for both the sides, I do not intend to go into the question of law in this matter since a representation is pending with regard to the release of retirement dues. Therefore, without going into the merit of this case, I dispose of this O.A. with a direction to Respondent No.3 to consider and dispose of the representation dated 17.08.2015 (Annexure-A/3) if the same is pending at his level with a reasoned and speaking order to be communicated to the applicant within three months from the date of

receipt of this order. It is further directed that if after such consideration, it is found that the applicant is entitled to the relief claimed by him then the same be extended to him within a further period of 03 (three) months from such consideration".

2. Complying with the direction as aforesaid, Deputy General Manager in the Office of Respondent No.1 passed a speaking order dated 24.11.2016 (A/5) whereby his representation for grant of retiral dues has not been acceded to. Hence, the applicant while challenging the legality and validity of the speaking order dated 24.11.2016 in this O.A., has sought for the following reliefs:

"...for quashing of Annexure-5 and for a direction to the Respondent, more particularly to the Respondent No. 2 and 3 to sanction and release the final pension, gratuity, commutation and all other admissible retiral benefits in favour of the applicant who retired as Peon while working in the G.A. Department, East Coast railway, Headquarters w.e.f. 31.05.2014 within a stipulated period with 19% interest for the period of delay till its realization".

3. Heard the learned counsels for both the sides and perused the records. It reveals from the record that during the pendency of this O.A., the learned JMFC, Tekkali has passed a judgment dated 24.04.2018 in C.C.No.367/2016 holding that the applicant is not guilty for the offence under Section 420 r/w 34 IPC and accordingly, acquitted him under Section 248(1) of Cr.P.C. This the applicant has brought to the notice of this Tribunal by way of an Affidavit.

4. In response to this Affidavit, the respondents have pointed out that after the aforesaid judgment by the learned JMFC, Tekkali, they moved the appropriate authorities and after completion of the official formalities, all the retirement benefits including DCRG, commutation and final pension has been paid to the applicant by the Railway Administration, the detailed particulars of which the Respondents have furnished in the short reply.

5. From the above, it is clear that the grievance of the applicant has been redressed by the Respondents. However, if the applicant has any subsisting grievance, he is at liberty to approach the authorities in the Department.

6. With the above, this O.A. is disposed of for being infructuous. No costs.

(SWARUP KUMAR MISHRA)
MEMBER(J)

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