

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.1156 of 1999

New Delhi, this the 19th day of May, 1999

HON'BLE SHRI N.SAHU, MEMBER(A)

Gurcharan Singh,
S/o Shri Balwant Singh
Retd. Staff Car Driver
O/o Area Railway Manager(MG),
Hamilton Road, New Delhi.
Residential Address:
Gurcharan Singh
140/O, Loco Shed Rly. Colony,
Kishan Ganj, Delhi.

(2)
-APPLICANT

(By Advocate: Shri G.D.Bhandari)

Versus

Union of India through

1. The General Manager,
Northern Railway, Baroda House,
New Delhi.
2. Divisional Railway Manager,
Northern Railway,
Bikaner.
3. Area Railway Manager(MG)
Northern Railway, Hamilton Road,
Delhi.

-RESPONDENTS

O R D E R (ORAL)

By Hon'ble Shri N.Sahu, Member(A)

Heard Shri G.D.Bhandari, learned counsel for the applicant.

2. The applicant retired from railway service as a Staff Car Driver on 31.5.93. His gratuity has not so far been released. He made a representation to respondent no.2 in this regard which is annexure A-10 to the O.A. dated 18.7.93. The grievance of the applicant is that in Annexure A-3 dated 31.5.93 against the column DCRG, it is written as "not sanctioned." But Shri Bhandari has also drawn my attention to Annexure A-1 which states

(3)

that the applicant has been under notice that he was under unauthorised occupation of Railway quarter No. 140 situated in loco colony Delhi after the retirement on 31.5.93. Railway rules clearly provided that after the permissible period of extension after retirement, if a railway servant continues to occupy the accommodation, it is treated as unauthorised occupation and the existing railway employer, the railway administration to withhold gratuity. The grievance of the applicant is that there is no such order and what is written in Anneuxre A-3 is "DCRG not sanctioned".

3. In the circumstances, respondent no.2 is directed to dispose of the representation of the applicant within a period of three weeks from the date of receipt of a copy of this order.

4. The O.A. is disposed of with the above directions. Liberty is granted to the applicant to revive this O.A. if his grievances still survives after the disposal of the representation. No costs.

N. Sahu

(N. SAHU)
MEMBER(A)

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