

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

CP.395 of 1999  
in  
OA No.1814 of 1994

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New Delhi, this 25th day of April, 2000

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)  
Hon'ble Smt. Shanta Shastri, Member(A)

B.S. Kumar  
S/o Late Shri Hardyal Singh  
R/o E-108  
East of Kailash  
New Delhi. ...Petitioner

(By Shri B.S.Mainee, Advocate through  
proxy Shri Madhok)

versus

1. Shri D.P.Tripathi  
Secretary  
Ministry of Railways  
New Delhi.
2. Shri Ashok Kumar  
Member (Mech.)  
Railway Board, Rail Bhavan  
New Delhi.
3. Shri O.P. Gupta  
General Manager  
Diesel Locomotive Works  
varanasi. ...Respondents

(By Mrs. B.Sunita Rao, Advocate)

Order (oral)

By Reddy, J.

The following directions have been issued  
while setting aside the removal order of the  
petitioners:

"(i) The orders dated 1.12.94 and  
19.1.95 shall stand set aside.

(ii) The applicant shall be  
eligible for pay and allowances for the  
period of removal of service i.e. from  
20.5.82 till the date of the  
superannuation i.e. 31.8.91.

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(iii) The applicant shall also be eligible for all the retiral benefits including pension, gratuity, leave encashment, insurance money etc.

(iv) The respondents are directed to make all the payments, due to the applicant, within a period of 3 months from the date of issue of a copy of this order."

2. The CP is filed complaining that the above directions have not been complied with so far.

3. In the compliance affidavit it is now stated by the respondents that in compliance with the order of the Tribunal that the petitioner's retirement benefits have been calculated. He was also allowed proforma promotion and fixation from due date i.e. from the date his junior was promoted. The petitioner has been sent the retirement benefits forms which now have to be filled up by him and sent back to the office. As regards arrears of pay and allowances, it is stated that the arrears have been computed for the period from 20.5.82 to 31.8.91 from the old records of various places and rates of allowances payable for the relevant period have been gathered and bills have been prepared and sent to the Accounts Department for preparation of cheques and prompt action is being taken to release the payments soon.

4. In view of the above statement made by the respondents, in our view, the directions have been complied with and that no contempt has been committed by the respondents. However, we direct the respondents to prepare the cheque and pay the

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same to the petitioner within a period of ten days from today and as soon as the petitioner sends the retirement benefits forms duly filled in, the respondents should fix the retirement benefits and pay the same expeditiously.

5. In view of the above, the CP is closed.  
Notice discharged.

*Shanta I-*  
(Mrs. Shanta Shastri)  
Member(A)

*Am Rajagopala Reddy*  
(V. Rajagopala Reddy)  
Vice Chairman(J)