

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 1354 of 1995

New Delhi, dated the 23rd January, 1996

HON'BLE MR. S.R. ADIGE, MEMBER (A)

Shri N.C. Malik,
S/o Shri Jeewan Malik,
R/o X/2043, Gali No.2,
Rajgarh Extension,
Delhi-110031.

..... APPLICANT

(By Advocate: Shri Romesh Gautam)

VERSUS

1. Union of India through
the General Manager,
Northern Railway, Baroda House,
New Delhi.

2. The Divl. Rly. Manager,
Northern Railway,
State Entry Road,
New Delhi.

3. The Chief Area Manager,
Northern Railway,
DRM Office,
State Entry Road,
New Delhi.

..... RESPONDENTS

(By Advocate: Shri H.K. Gangwani)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

In this application Shri N.C. Malik
has prayed for release of his DCRG, together
with interest at the rate of 24% per annum ^{thereon} from
the date ^{it is} ~~due~~ due till the date of ^{actual} payment.

/

2. The applicant retired as Chief Parcel Supervisor from Delhi Main Railway Station on 31.3.94. The respondents in their reply state that the applicant was issued a charge-sheet in SF 11 for unadjusted amounts (outstandings) to the extent of Rs.27,467/-, but was subsequently exonerated of the same, and that charge-sheet was also withdrawn on 2.11.93 (Annexure A-4). However, in their reply it is also stated that on further inspections carried out on 5.10.93 and 25.1.94, a further sum of Rs.41,493/- were found unadjusted and lying outstanding, and as the applicant was in charge as C.P.S during the relevant period his DCRG has been withheld, till the amount is properly accounted for.

3. The applicant in his rejoinder has denied the respondents' contention that he was in any way responsible for ^{the outstandings of} ~~these~~ Rs.41,493/-.

4. I have heard Shri Romesh Gautam for the applicant and Shri H.K. Gangwani for the respondents.

5. Shri Gangwani has stated at the bar that the Respondents would have no difficulty in releasing the applicant's DCRG, together with interest thereon from the date it fell due till the date of actual payment provided the applicant assisted the concerned authorities in reconciling the unadjusted amounts.

A

7

- 3 -

6. Although the applicant has retired, it should be possible for him to assist the respondents in reconciling the relevant sums shown as outstanding in their books, and mentioned above. For this purpose he should assist the concerned authorities during office hours on a date and time mutually convenient, within 1 month from the date of receipt of a copy of this judgment, and on that date all the relevant records should be made available to him to effect reconciliation. Meanwhile the papers regarding payment of applicant's DCRG, together with interest thereon at prescribed rates payable from due date till the date of actual payment, should also be kept read by the respondents. The reconciliation of the outstandings by the applicant and the release of the applicant's D.C.R.G by the respondents to him should be effected simultaneously, latest within two months from the date of receipt of a copy of this judgment.

7. This O.A. is disposed of accordingly with the above direction. No costs.

S.R. Adige
(S.R. ADIGE)
Member (A)

/GK/