

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH
NEW DELHI

D.A. No.551/95
MA 705/96

Date of decision 6-5-1996

Hon'ble Shri S.R. Adige, Member (A)
Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri Chanana Singh
s/o Sh. Alla Singh
R/O Flat No.145, Pocket A-3,
Sector-8, Rohini, New Delhi.

... Applicant

(By Advocate Shri B.S. Oberoi)

Vs.

1. Union of India
through General Manager
N.R. Baroda House, New Delhi.

2. F.A. & C.A.D.
Northern Railway, Baroda House, New Delhi

3. Divisional Railway Manager,
Ambala Cantt., Ambala.

... Respondents

(None for the respondents)

OR D E R (ORAL)

(Hon'ble Shri S.R. Adige, Member (A))

The grievance of the applicant who has retired as Foreman(Boiler) is regarding the non payment of his retiral benefits and other dues, which has been listed item wise at pages 6 and 7 of the D.A., and whose total amounts to Rs 3,69,503.47.

2. The D.A. was filed as back as on 20-3-1995, but we note with regret that despite service of notice upon the respondents and several opportunities given to them, they have neither filed their reply nor did they appear when this case was called out today even on the second call. In this connection, we note that on earlier

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occasions respondents counsel had appeared and sought time, which by way of indulgence was granted.

3. In the absence of any reply/by the respondents and their failure to appear when the case was called out, we are proceeding to dispose of this DA after hearing applicant's counsel and on the basis of the material on records, at admission stage itself.

4. As stated above, the applicant has claimed retiral benefits, and certain other dues. Respondents are directed to treat this DA as a representation filed before them, examine each of the claims made by the applicant, and thereafter dispose of those claims by means of a detailed, speaking and reasoned order within three months from the date of receipt of a copy of this judgment. Payment shall be released of those claims which are in accordance with rules. In the event that any specific item is not admissible as per rules, respondents should specifically record reasons for holding so. Where the delay has been on the part of the respondents themselves, in releasing any item, which was lawfully due to the applicant, the respondents will ~~not~~ pay interest on such dues at the rate of 12% per annum from the date the payment becomes due, till the date of actual payment.

5. After disposal of the applicants DA/representation in the manner indicated above by the respondents, if any grievance still survives, it will be open to the

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applicant to agitate the same through appropriate original proceedings in accordance with law, if so advised.

6. This O.A. stands disposed of accordingly. No costs.

7. After the above orders had been dictated in open court, but before they could be transcribed respondents counsel Shri Kshtriya appeared in court later in the afternoon, much after applicant's counsel Shri Oberoi had left, and claimed that the legitimate dues of the applicant had been released to him.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

Member (J)

S.R. Adige
(S.R. Adige)

Member (A)

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