

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 901 of 1997

8
New Delhi, dated 25th March 1998

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

Chuni Lal Sehgal,
S/o late Shri Jawala Dass Sehgal,
Retd. Supdt. Data Base,
R/o H-104, Lajpat Nagar,
New Delhi-110024.
(By Advocate: Shri G.D.Bhandari)
... APPLICANT
VERSUS

1. Union of India
through General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Chief Commercial Manager/C.R.,
Northern Railway,
Compres Kendra,
I.R.C.A. Building, Chelmsford Road,
New Delhi. ... RESPONDENTS

(By Advocate: None appeared)

JUDGMENT

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

Applicant prays for release of his post-retirement railway passes.

2. Applicant who was railway employee and was the allottee of Qr. No.C-27/E, Railway Colony, Lajpat Nagar retired from service on 30.10.93. Admittedly (respondents' letter dated 29.1.97 copy at Ann. A-1) he was permitted to retain the quarter till 03.6.94 and eventually vacated the

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the same in September, 1995 after retaining it beyond the authorised period for nearly 15 months.

Respondents have disallowed one set of retirement passes for every month of unauthorised retention vide Railway Board's orders.

3. Respondents have not filed reply despite several opportunities. None appeared for respondents when the case was called out even on second call. Accordingly after hearing applicant's counsel Shri Bhandari. I requested Shri P.S. Mahendru, Sr. Railway Counsel who was present in Court to assist me in the matter.

4. Shri Bhandari has relied upon the Tribunal's decision dated 13.5.94 in O.A. No. 264/94 Shri R.R. Bali Vs. UOI & Ors. a copy of which is on record. In that judgment dated 13.5.94 the CAT Full Bench decision dated 25.10.90 in O.A. No. 2573/89 Wazir Chand Vs. UOI & Ors. had been noticed (CAT Full Bench Judgments Vol. II) wherein it had been held that disallowing of one set of post retirement passes for unauthorised retention of railway quarter is unwarranted. Nothing has been shown to us to suggest that the aforesaid judgment in Wazir Chand's case (Supra) and indeed in R.R. Bali's case (Supra) have not become final.

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5. Following the judgment in R.R. Bali's case (Supra) relied upon by Shri Bhandari, this O.A. succeeds and is allowed. Respondents are directed to issue post retirement passes w.e.f. 1995 as per extant rules within three months from the date of receipt of a copy of this judgment, upon prayer being made by applicant in this regard. No costs.

Arif Chgr
(S.R. ADIGE)
VICE CHAIRMAN (A)

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