

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.838/1994

New Delhi, this 2nd day of May, 1996

Hon'ble Shri B.K. Singh, Member(A)
Hon'ble Dr.A.Vedavalli, Member (J)

Shri Babu Singh
s/o Shri Jag Ram Singh
H.No.98, Shankar Puri
Sector 9, Ghaziabad

.. Applicant

(By Shri B.S. Mainee, Advocate)

Vs.

Union of India, through

1. The General Manager
Northern Railway
Baroda House, New Delhi

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

3. The Sr. Dvl. Electrical Engineer(TRS)
Northern Railway
Ghaziabad

.. Respondents

(By Shyam Moorjani, Advocate)

ORDER (oral)

Hon'ble Shri B.K. Singh

This OA was filed for payment of compensation to the applicant under the Workmen's Compensation Act. Relief 8(1) is not being pressed by the learned counsel for the applicant and ~~he~~ he is confining himself only to Relief 8(2). It has been stated that unnecessary correspondence delayed the payment of compensation to the applicant.



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2. In the counter reply filed, it is not disputed that the applicant suffered serious injury resulting in amputation of his right arm during the course of performance of his duty and that he has filed several representations for payment of compensation. The various annexures to the OA show that the Loco Foreman forwarded the claim of the applicant on 21.4.93 to the competent authority followed by several reminders. The Sr. Medical Superintendent, Delhi also assessed the PPD as 70% vide his certificate dated 17.6.92 (Annexure A-5). These are all admitted facts, yet the respondents have not released the compensation to the applicant. Being aggrieved by the inaction on the part of the respondents in making payment of compensation to the applicant, which was duly recommended by the Loco Foreman alongwith the certificate issued by the Sr. Medical Superintendent, Delhi, this OA has been filed on 25.4.94. It is more than two years now, yet the applicant has not been paid the compensation due to him.

3. The facts are admitted and there is no plurality of reliefs sought for. Since the learned counsel is not pressing for relief 8(1) but is confining himself only to relief 8(2) because of the injury suffered by the applicant, there is no justification for non-payment of compensation to the applicant. This only brings out the callousness and ^{per}
~~sensitivity~~ on the part of the respondents. They are directed to release the compensation, with due interest as admissible under law to the applicant within 3 months from the date of receipt of a certified copy of this order.

The OA is thus disposed of but without any order as to costs.


(Dr. A. Vedavalli)
Member(J)


(B. K. Singh)
Member(A)

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