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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A.No. 1635/94

New Delhi this day of 17th August 1994.

Hon'ble Shri J.P. Sharma, Member (J)

Shri Uttam Singh,
Resident of P.O. & Village Maral,
Via G.P.O. Laxmanjhula,
Distt. Pori Garwal, U.P. ... Applicant

(By Advocate : Shri K.N. Vijayan)

Vs

1. General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Divisional Traffic Manager,
DTM Office,
Northern Railway,
New Delhi-110 055. ... Respondents

O R D E R


Hon'ble Shri J.P. Sharma, Member (J)

Heard the learned counsel for the applicant on admission. The applicant retired in November 1992 as Booking Clerk, Northern railway, New Delhi and his grievance that the retiral benefits, gratuity, commuted value of pension, leave encashment, transfer and packing allowances be directed to be paid by the respondents alongwith the interest. He has also claimed Rs. 50,000/- (Rupees Fifty Thousand only) as damages.

2. A perusal of the record goes to show that applicant was served with a memo of conducted at dated 20.4.1988. The departmental enquiry was conducted under Railway Servants Disciplinary Rules, 1968. The Enquiry Officer gave his report to the disciplinary authority holding that charge No. 3 is proved against the applicant that he did not maintain
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proper record regarding the issue and consumption of the Disciplinary Rules, 1968. The Enquiry Office gave his report to the disciplinary authority holding that charge No. 3 proved against the applicant that he did not maintain proper record regarding the issue and consumption of the audit rolls for printing of platform tickets which were issued from the defective printing machines. The applicant has given a copy of the enquiry officer's report and he has already submitted his comments on 27.12.1993 to the DTM, New Delhi praying that he should be exonerated from the charge framed against him. It is evident that the enquiry against the applicant has not yet been completed under the Manual of Pension Rules, 1950, the DCRG and other other retiral benefits cannot be paid unless the departmental enquiry is over. The learned counsel, therefore, argued that the respondents should have disposed of the enquiry report which is pending with them since it was submitted on 10.12.1993 by the Enquiry Officer.

3. The application is pre-mature and therefore not maintainable. However, it is expected that the respondents shall dispose of the pending enquiry against the retiree within a reasonable time as expeditiously as possible. A copy of this order be sent to the respondents. If the applicant is still aggrieved after the decision on the enquiry report he could assial his grievances if so advised according to law.


(J.P. Sharma)
Member(J)

Mittal