

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI.

OA 2070/91

Date of Decision: 29.05.1992

PEAREY LAL

... APPLICANT.

VS.

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

THE HON'BLE SHRI J.P. SHARMA, MEMBER (J).

For the Applicant ... SHRI UMESH MISHRA

For the Respondent ... NONE

1. Whether Reporters of local papers may be allowed to see the judgement ?
2. To be referred to the Reporters or not?

JUDGEMENT (ORAL)
(DELIVERED BY HON'BLE SHRI J.P. SHARMA, MEMBER (J)).

At the commencement of the hearing, the learned counsel for the applicant gave a statement at the bar that in this application though in para-8 a number of reliefs are mentioned but he is only pressing the release of post retirement passes by the respondents. He also stated that the other reliefs he has claimed, have been granted by the respondents.

Inspite of service of notice on the respondents i.e. Divisional Mechanical Engineer and Senior Divisional Mechanical Engineer, DRM Office, New Delhi and also on General Manager, Northern Railway, none has appeared on their behalf to contest the application.

The case of the applicant is that he was removed from service w.e.f. 3.7.83 and that removal order was challenged before the court in OA 1116/86 and the same was decided on 2.6.89 with the following order :-

"In the result, therefore, we quash the order of the applicant's removal from service, dated 3.7.83 and direct that he may be paid his full salary till the date of his superannuation and allow all consequential benefits, including pension, gratuity, provident fund and insurance benefits etc. and any other benefit under the Rules."

Quotation in above para also stands confirmed by the photo-stat copy of the judgement, filed by the learned counsel for the applicant during the course of the arguments, that has kept on record.

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When the applicant has been exonerated and he has been given all benefits there is no justification cause to deny the post retirement passes to him, as are admissible to a retired Railway servant as per extant rules.

In view of the above facts, the application is allowed and the respondents are directed to release post retirement passes etc. as per extant rules to the applicant.

Respondents to comply with the above orders within a period of three months from the date of receipt of a copy of this order. In the circumstances, parties to bear their own costs.

Dacee
(J.P. SHARMA)

MEMBER (J)