

OA 960/2004

(2)

New Delhi, this the 20th day of April, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

Shri Rohit Kumar Singh
S/o Shri Lakhon Singh
47-S, D.D.A. Flats,
Sarai Phoos,
Tis Hazari, Delhi.

...Applicant

(By Advocate Sh. P.S. Mahendru)

V E R S U S

Union of India through

1. The General Manager,
North Western Railway,
Hd. Qrs. Office
Jaipur (Rajasthan).
2. The Divisional Railway Manager,
North Western Railway,
Divisional Office,
Bikaner (Rajasthan).

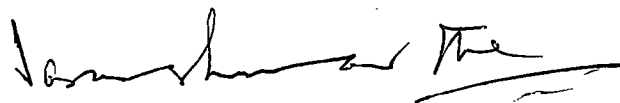
...Respondents

O R D E R (ORAL)

Shri Sarweshwar Jha,

Heard.

2. It is observed that the respondents have already paid to the applicant part of the payment which was due to him in consequence of the death of his uncle on 14-6-98 due to his retirement benefits including gratuity, insurance, provident fund. A cheque of Rs.66,636/- was received by the applicant on 1-10-2003. The ld. counsel for the applicant has submitted that an amount of Rs.25,601/- has been received by the applicant in February, 2004. He has, however, been awaiting payment of the balance amount. It appears that he has not submitted any further letter in the matter and instead he has rushed to this Tribunal seeking payment of the balance amount. The last representation which was of 5-12-2003 whereafter the respondents have paid the amount of

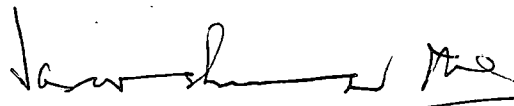


Rs.25601/- . It is thus observed that the respondents have been paying the amounts due to applicant in instalments, though they have not given any reason why instead of paying the entire amount in one sum, they have been paying in instalments. However, it appears that there being no letter from the respondents to the effect as to why they have not paid the balance amount so far, it is presumed that the process of making payment of balance amount must be on with the respondents.

3. However, having regard to the relief that the applicant has prayed for in this OA and also keeping in view the fact that the applicant has addressed to the respondents in the matter has not been responded to by the respondents in terms of any reply from them, appropriate course at this stage would be to direct the respondents to consider the prayer which the applicant has made in this OA by treating it as a representation of the applicant and to dispose it of by making the payment as prayed for by the applicant if it is due to him and also permissible.

4. The respondents are further directed that they dispose of the matter within a period of one month from the date of receipt of a copy of this order by issuing a reasoned and speaking order.

5. With this, the OA stands disposed of in terms of the aforestated order.


(Sarweshwar Jha)
Member (A)

/vikas/