

In the Central Administrative Tribunal
Principal Bench: New Delhi



OA No.1538/92

Date of decision: 15.01.1993.

Shri R.P. Gupta

...Applicant

Versus

Union of India through the
General Manager, Central
Railway, Bombay & Others

...Respondents

Coram:-

The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the petitioner

In person.

For the respondents

None

Judgement(Oral)

Heard. The petitioner submitted that his counsel will not be coming today but the matter involved is very short and he can present his case. The only issue involved is that he is not being issued post retirement complimentary passes. He retired as Deputy Station Superintendent from the Central Railway on 30.11.1987 when he was in the pay scale of Rs.550-750. He had overstayed for some time in the Railway quarter after his retirement. There is no other grievance which now subsists except that the respondents are not issuing him the post retirement complimentary passes.

2. The respondents in their counter-affidavit have submitted that as soon as the petitioner vacated the quarter in March, 1989 he was paid D.C.R.G. in April, 1989. Although the respondents have not admitted the contention of the petitioner in paragraphs 4.4 and 4.5 of the O.A. that he is being denied the post retirement


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complimentary passes, they have also not given any details if any passes had been issued to him after his retirement.

3. As the respondents are not represented, I have carefully considered the counter-affidavit filed by them and heard the petitioner in person. I am of the opinion that if the petitioner had vacated the Railway quarter in March, 1989, denial of issue of post retirement complimentary passes to him thereafter was not only unjust and improper but also not covered by any statutory provisions. The respondents have also not referred to any instruction/ order or statutory rule, according to which they could deny him the issue of the passes.

4. In the facts and circumstances of the case, I order and direct the respondents to issue post retirement complimentary passes to the petitioner from 1.1.1993. As far as the previous years are concerned, the right to get those passes have already elapsed. No costs.

San.


(I.K. RASGOTRA)
MEMBER(A)