

Central Administrative Tribunal
Principal Bench, New Delhi.

CP-63/94 in
O.A-850/92

(13)

New Delhi this the 21st Day of July, 1994.

Hon'ble Mr. Justice S.K.Dhaon, Acting Chairman
Hon'ble Mr. B.N. Dhoundiyal, Member (A)

Sh. K.L. Raghavan,
S/o Sh. A. Krishnaswamy Iyengar,
R/o 2 D.Bharat Apartments,
Race Course Road,
Fairfield Layout,
Bangalore-560 001.

Petitioner

(By advocate Sh. R.K. Kamal)

versus

Shri A. Ramji,
General Manager,
South Eastern Railways,
Garden Reach,
Calcutta.

Respondent

(By advocate Sh. H.K. Gangwani)

ORDER (ORAL)
delivered by Hon'ble Mr. Justice S.K.Dhaon, Acting Chairman

In O.A. No.850/92 decided on 22.1.1993, a two-Member Bench of this Tribunal, of which, one of Us, Hon'ble Sh. B.N. Dhoundiyal was a Member, issued certain directions. In substance, the direction was that the applicant should also be treated at par with his colleagues in terms of refixation of pay and allowances as well as pension and the applicant shall be issued Railway Passes as provided under the Rules for retired personnel.

An affidavit of compliance has been filed on behalf of the respondents. Therein the averments, as material, are these. A sum of Rs. 18,146/- shall

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be released in favour of the applicant. The railway passes for the current year shall be issued to the applicant.

A letter dated 19.7.1994 of the Chief Personnel Officer has been produced before us by the learned counsel for the respondents. It is stated therein that payment of a sum of Rs. 19,244/- has been released in favour of the applicant by means of two cheques.

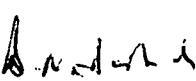
Prima facie, the directions of this Tribunal have been complied with. The learned counsel for the applicant states that he has not been able to contact his client so far as to ascertain the necessary facts from him. He prays for six weeks time to enable him to contact his client. In view of the order we are about to pass we do not think it necessary to grant time.

We see no reason to disbelieve the averments of the respondents made in the counter-affidavit and also the correctness of the contents of the letter dated 19.7.94 of the Chief Personnel Officer. However, we make it clear that if the applicant feels that the respondents have misled this Tribunal, it will be open to him to approach us by means of a miscellaneous application within a period of two months to get the matter reopened.

With these observations, this application is disposed of.

Notice issued to the respondent is discharged.

There shall be no order as to costs.


(B. N. DHOUNDIYAL)
MEMBER (A)


(S. K. DHAON)
ACTING CHAIRMAN

/vv/