

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD.

....

Original Application No. 940/97
this the 24th day of May 2001.

Hon'ble Mr. Rafiq Uddin, Member (J)

Nathan Sahai Srivastava, S/o late Sri Ramchandra Lal, aged about 72 years, resident of 47, Avas Vikas Colony Batia Hata North, Gorakhpur.

Applicant.

By Advocate : Sri O.P. Gupta.

Versus.

Chairman, Railway Board, Ex. Office Secretary, Rail Bhawan, New Delhi.

2. Union of India & representing the administration of North Eastern Railway through the General Manager, North Eastern Railway, Gorakhpur.

Respondents.

By Advocate : Sri P. Mathur.

O R D E R (ORAL)

The applicant who was retired as Asstt. Personnel Officer, Sanpur, North Eastern Railway on 31.7.1983 has approached this Tribunal for issuing directions to the respondents to make payment of withheld dues, which is as under :

- "(a) the balance payment of Rs. 1155 as DCRG.
- (b) the payment of interim relief for June and July 1983 (Rs 70 x 2) Rs.140/-
- (c) the payment of Leave Salary on account of Interim Relief (Rs. 70x 6) Rs.420.
- (d) the payment of Dearness Allowance credited to P.F. amounting to Rs. 840/-
- (e) the payment of wrongly recovered money Rs.40/-
- (f) the payment of dearness allowance from February'80 to 12th May'80 Rs 97.80
- (g) the payment of actual expenses = Rs. 368/-".

The applicant has also claimed on the aforesaid amounts on account of delayed payment.

2. I have heard the learned counsel for the parties and have perused the pleadings on record.

3. It has been contended on behalf by the learned counsel for the respondents on the basis of pleadings in the Counter that all settlement dues except DCRG were paid to the applicant as the disciplinary proceedings were pending against him, but subsequently, Railway Board letter dated 16.11.1993 directed to release the withheld amount. Accordingly, the amount of DCRG was paid to the applicant. It is admitted to the respondents that the claim of the applicant regarding less payment of Rs. 1155/- of DCRG and the payment of D.A. credited to P.F. from 1.8.81 to February '82 amounting to Rs. 840/- the same is under investigation and the decision in this regard will be taken by the Railway administration at an early date. There are also disputes regarding some small amounts of Rs. 140/- for payment of interim relief from June '83 to July 1983, a sum of Rs. 420/- for payment of leave salary on account of interim relief, the payment of Rs. 40/- being wrongly recovered from the applicant and lastly a sum of Rs. 97.80/- for payment of dearness allowance from Feb. '80 to 12.5.80. It is, however, pointed-out that the applicant had ~~been~~ received the double payment in respect of D.A.'s arrears for the month of May & June 1980. In view of the facts of the case mentioned above, the O.A. stands disposed of with the direction to the respondents to complete the investigation and take a decision in respect of the claims of the applicant for payment of Rs. 1055 towards DCRG and also for payment of D.A. credited to P.F. from 1.8.81 to Feb. '82 amounting to Rs. 840/- within a period of three months from the date of communication of this order. As regards the other small amounts mentioned in para 1 of the order, the respondents are directed to consider

the claims of the applicant and if the claim of the applicant is found genuine, the same will be paid to him within a period of the aforesaid three months from the date of communication of this order. The applicant is also entitled interest @ 9.5% on the delayed payment of DCRG.

4. The O.A. stands disposed of as above with no order as to costs.

D. V. Mehta
MEMBER (J)

GIRISH/-