

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 7TH DAY OF SEPTEMBER, 1999

Original Application No. 875 of 1998

CORAM:

HON. MR. S. K. I. NAQVI, MEMBER (J)

Laxman Singh, S/o Late Shri Karan Singh
R/o House No. 10717, Navia Shahadra,
Subhash Park, Gali No. 2, Delhi.

.. .. Applicant

(By Advocate Shri C.P. Gupta)

Versus

1. Union of India, through General manager
Northern Railway, Baroda House,
New Delhi.
2. Divisional Railway Manager,
Northern Railway, Allahabad.

.. .. Respondents

(By Advocate Shri A.K. Pandey)

O R D E R (Oral)

(By Hon. Mr. S. K. I. Naqvi, J.M.)

Shri Laxman Singh has come up with a case that he retired from service on 28.2.95 from the post of Permanent Way Mistry (in short PWM) while working under the Permanent Way Inspector, Northern Railway Khurja Junction. He has been paid all his settlement dues on retirement except the gratuity. In support of this contention he has annexed the settlement letter as Annexure A-II. He has further mentioned that he made several representations to the authorities concerned but the same have not been ^{S.P}relied and therefore he has come up before the Tribunal with a prayer to direct the respondents to pay the with-held gratuity alongwith 18% interest thereon.

2. When the matter was taken up for final hearing, ^{neither} the learned counsel for the applicant is in attendance nor the counsel for the respondents. It is relevant to mention

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here that the respondents have not filed any counter affidavit inspite of sufficient opportunity and the stop order dated 5.3.99. *In the mean time the Ad. Secy. Adv. for respondent mentioned his presence &*

3. Since the matter, in which the claim for gratuity is in question, for a government servant it may be imagined that the the amount of gratuity is how dear to a retired government servant. The applicant has brought on record that after serving from 7.1.1958 he retired from service on 28.2.1995 and has been paid all retiral benefits except the gratuity and also that he made several representations to the authorities which went to deaf ears.

4. With the above facts in view that the respondents are directed to settle the gratuity claim of the applicant within four months from the date of receipt of the copy of this order by way of payment of the due amount of gratuity or by passing a detailed and reasoned order, with copy to the applicant, *if the payment is declined on entitlement grounds &*

5. The OA is disposed of accordingly with these directions. No order as to costs.

Sae Mag
Member(J)

Dated: 7th Sept: 1999

Uv/