

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 23rd day of January, 2004.

Original Application No. 1412 of 1998.

Hon'ble Maj. Gen. K.K. Srivastava, Member- A.
Hon'ble Mr. A.K. Bhatnagar, Member- J.

R.K. Mishra a/a 63 years,
S/o Sri Dulare Lal Mishra
R/o 242, Kushtiyana, Jhansi.

.....Applicant

Counsel for the applicant :- Sri R.K. Nigam

V E R S U S

1. Union of India through the General Manager,
Central Railway, Mumbai V.T.
2. Senior Electrical Engineer, Central Railway
Workshop, Jhansi.

.....Respondents

Counsel for the respondents :- Sri G.P. Agarwal

O R D E R

By Hon'ble Maj. Gen. K.K. Srivastava, Member- A.

In this O.A filed under section 19 of Administrative Tribunals Act, 1985, the applicant has prayed for quashing the impugned order dated 13.11.1998 which is a forwarding letter through which the enquiry report was sent to the applicant. The applicant has also prayed for releasing all the retiral benefits and also full back wages from the date of removal to the date of reinstatement and thereafter full pension and all the consequential arrears, fixation of pay etc. alongwith penal interest at the rate of 18% duly compounded.

2. Learned counsel for the respondents inviting our attention to order dated 05.03.2002 filed alongwith M.A No. 2000/2002 submitted that the O.A has been

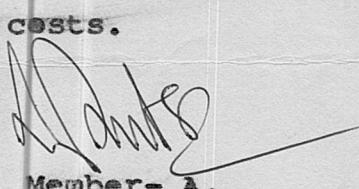
rendered infructuous. The learned counsel also submitted that in view of the Railway Board's letter dated 05.03.2002 the applicant has been paid an amount of Rs. 45076/- vide C.O 7 No./PF/ACII/210258 dated 25.03.2002 and thus no more claim of the applicant remains to be decided.

3. The learned counsel for the applicant on the other hand submitted that the copy of the letter dated 25.03.2002 by which it is alleged that the payments have been made to the applicant has not been served on him. The learned counsel for the applicant has further submitted that the settlement dues of Rs. 45076/- stated to have been paid by the respondents does not appear to be correct. In fact the applicant is entitled for much more than the alleged amount paid to him.

4. We have heard counsel for the parties and perused records.

5. In view of the Railway Board's order dated 05.03.2002 and the order dated 25.03.2002 regarding payment, we are of the view that nothing remains to be decided in this O.A. We direct the respondents to supply a copy of the order dated 25/26.03.2002 alongwith details of payment made to the applicant. If the applicant is not satisfied with the same, he may pursue for the remedy under the provisions of law. The O.A stands disposed of. No costs.


Member- J.


Member- A.

/Anand/