

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD  
-----

Original Application No. 969 of 2004

Dated: This the 01st day of September, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER-(J)

Om Prakash Srivastava S/o Late B.Lal,  
Ex Station Superintendent at Garhi  
Manik Pur at present residing in House  
No. 494/395 K L Kydganj, Allahabad.

...Applicant.

By Advocate: Shri Sajnu Ram.

Versus

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

....Respondents.

By Advocate: Shri A K Gaur

O R D E R

By Hon'ble Mrs. Meera Chhibber, JM

In this case grievance of applicant is that he had retired on attaining the age of superannuation w.e.f. 31.8.2003 but till date he has not been paid the gratuity amount nor has <sup>he</sup> been given any reply on the various representations given by him from time to time. The first letter, which is attached with the O.A. is dated 03.11.2003 (page 17) followed by another letter dated 23.2.2004 (page 18) wherein he had stated that he has already given two reminders dated 03.11.2003 and 30.1.2004 for early payment of gratuity and had also stated that he <sup>would</sup> ~~was~~ also be entitled for interest as payment of gratuity is being delayed without any justification. This was followed by yet another letter dated 15.3.2004 (page 19), letter dated 06.04.2004  
.....pg 2/-

(page 20) and letter dated 07.04.2004. (page 21). There are other letters also which are annexed with the O.A.. Applicant has also stated that he is suffering from heart <sup>ailment</sup> ~~disease~~ as well, therefore, his gratuity amount should be released immediately.

2. Counsel for the respondents was on leave as he had given an application for adjournment on account of his sickness. However, in this case presence of respondents at this stage is not necessary because respondents have not even given reply to the applicant on various representations given by him to the Divisional Railway Manager, Northern Railway, Lucknow from time to time, therefore, I am of the opinion that this case can be disposed off, at the admission stage itself without going into the merits of the case, by directing respondent no. 2 to look into the matter and decide his representations within a period of two months from the date of receipt of a copy of this order. In case there is no hindrance in law against the applicant, his gratuity should be released forthwith along with interest <sup>for</sup> which he is entitled to in law otherwise if, there is any <sup>valid</sup> hindrance in law in releasing the gratuity, he shall pass a detailed order intimating ~~the~~ applicant about it. within the period as stipulated above.

3. With the above direction this O.A. is disposed off with no order as to costs.



Member-J

Brijesh/-