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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated: this the 24th day of MAY 2005

Original Application No. 558 of 2005

Hon'ble Mr. A.K. Bhatnagar, Member (J)
Hon'ble Mr. D.R. Tiwari, Member (A)

Smt. S.M. Lal, W/o Sri R.N. Nayak,
R/o House No. 214/25, New Colony,
DEVARIA.

...Applicant

By Adv: Sri S.K. Om

V E R S U S

1. Union of India though General Manager,
Northern Eastern Railway,
GORAKHPUR.
2. Financial Advisor & Chief Account Officer,
Northern Eastern Railway,
GORAKHPUR.
3. Medical Director,
Northern Eastern Railway,
GORAKHPUR.

....Respondents

By Adv: Sri A.K. Gaur

O R D E R

By A.K. Bhatnagar, JM

By this OA, filed under Section 19 of the A.T. Act, 1985,
the applicant has prayed for following reliefs :-

- i. "issue a writ order or direction in the nature of mandamus commanding the respondents to pay the entire arrears of salary and other allowances on the post of Matron Gr. II from 18.5.99 to 4.5.2001 and on the post of Chief Matron w.e.f. March 2001 to August, 2001 with 12% interest thereof.

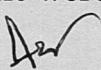
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- ii. Issue a writ order or direction in the nature of mandamus commanding the respondents to recalculate petitioner's retirement benefits including petitioner's salary from 18.5.99 to 4.5.2001 and the pay the same alongwith interest @ 10% per annum.
- iii. Issue a further writ order or direction commanding the respondents to pay the interest @ 10% per annum on the delayed payment of retiral benefits from August, 2001 to September, 2002.
- iv. Issue any other writ order or direction in any nature to grant all the consequential benefits for which petitioner is entitled for.
- v. Issue any other writ order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.
- vi. Award the cost of present petition to the petitioner."

2. According to the applicant she was initially appointed as Staff Nurse in Lalit Narahyan Medical Hospital, North Eastern Railway, Gorakhpur. She was promoted from time to time and lastly she was promoted as Matron Grade II in the year 1990 and retired as Matron Grade II on 31.08.2001.

3. The grievance of the applicant, in this OA, is that she was not paid salary from 18.05.1999 to 04.05.2001. During this period she was also not paid any increment, leave salary, washing allowance, bonus gratuity etc. Learned counsel for the applicant submitted that in September 2002 certain terminal benefits of the applicant were released, but those were also not



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properly calculated. During the course of arguments, learned counsel for the applicant submitted that the applicant has filed a detailed representation on 07.10.2004 to Medical Director, Lalit Narahyan Medical Hospital, North Eastern Railway, Gorakhpur, i.e. Respondent No. 3 (Annexure 5), which is still pending and the applicant will be satisfied if her representation is decided by the Competent Authority within specified period as per rules.

4. After hearing learned counsel for the parties we find that the ends of justice will be better served if the Competent Authority is directed to decide the representation of the applicant. Accordingly, the OA is disposed of finally by issuing direction to Medical Director, Lalit Narahyan Medical Hospital, North Eastern Railway, Gorakhpur, i.e. Respondent No. 3 to decide the representation of the applicant dated 07.10.2004 by a reasoned and speaking order within a period of three months, under intimation to the applicant, from the date of communication of this order. The applicant is also directed to serve copy of his representation dated 07.10.2004 and copy of this OA alongwith copy of this order to respondent No. 3 immediately.

5. There shall be no order as to costs.



Member (A)



Member (J)

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