

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.281/2021

This the 26th day of July, 2021.

**Coram : Hon'ble Shri Jayesh V.Bhairavia, Member (J)
Hon'ble Dr. A.K.Dubey, Member (A)**

Shri Manhar T.
S/o. Thakorbhai
Aged 52 years,
Redt. as Loco Pilot (Goods)
Resident : D-406, Shriji Flats, Vadsar
Vadodara – 390 010. Applicant

(By Advocate : Ms.S.S.Chaturvedi)

Versus

1. Union of India
Notice to be served through:
General Manager, Western Railway,
Churchgate, Mumbai 400 020.
2. Divisional Railway Manager (E)
Western Railway, Pratapnagar,
Baroda 390 004.
3. Chief Medical Superintendent
Railway Hospital,
Western Railway, Pratapnagar
Vadodara – 390 004. Respondents

ORDER (ORAL)

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

1. In the instant OA, aggrieved by the terminal benefit paid to the applicant, more particularly, grant of leave encashment of only 182 days amounting to Rs.494591/- . According to the applicant, he is entitled for more amounts. The said terminal benefits of leave

encashment along with other retiral dues were issued by the respondents on 06.10.2020 (Annexure A/32, page 68, Xerox copy of the original) i.e. after acceptance of application of the applicant for voluntary retirement only on 11.05.2020. Counsel for the applicant submits that as such, the applicant through Union had raised the grievance vide representation dated 20.11.2019 about entitlement of PME in the month of November, 2019, but the same remained unanswered or rather unresolved and subsequently, on his voluntary retirement, the respondents issued terminal benefits and paid to him vide communication dated 06.10.2020. Thereafter, he came to know his actual amount under heading of leave encashment on receipt of the said terminal benefits dated 06.10.2020. Counsel for the applicant fairly submits that thereafter the separate application/ representation with regard to grievance against non-payment of remaining leave encashment has not been submitted by the applicant. She submits that the applicant will be satisfied at this stage if he may be allowed to withdraw this OA with a view to pursue his grievance by filing application/ representation to resolve his grievance before the competent authority.

2. Considering the above, we allow the applicant to withdraw this OA. The respondents may consider the representation/ application, if any, filed by the applicant in accordance with the service record and rules

expeditiously. We make it clear that we have not expressed any opinion on the merit of the case.

- 3.** The OA stands disposed of as withdrawn.
- 4.** Registry is directed to handover spare copies of this OA to the applicant.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

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