

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD

(This the **09th** Day of **August**, 2021)

Hon'ble Mrs. Justice Vijay Lakshmi, Member (Judicial)
Hon'ble Mr. Tarun Shridhar, Member (Administrative)

Original Application No.331/00311/2021

Jagdish Prasad son of Late Ashwani Kumar, R/o House No.L-50B, Railway Colony, Kapoor Compani, Moradabad, Uttar Pradesh 244001.

..... **Applicant**

By Advocate: Ms. Akanksha Mishra

Versus

1. The Union of India, through Secretary Ministry of Railway (Northern Railway), Baroda House, New Delhi.
2. Chief Commercial Manager (Planning) (Complaint) North Railway, Head Quarter, Baroda House, New Delhi.
3. Senior Divisional Commercial Manager, Northern Railway, Moradabad.
4. Divisional commercial Manager, Northern Railway, Moradabad.

..... **Respondents**

By Advocate: Shri Sanjeev Kumar Pandey

O R D E R

Delivered by Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)

We have heard Ms. Akanksha Mishra, learned counsel for the applicant and Shri Sanjeev Kumar Pandey, learned counsel for the respondents. Perused the record.

2. The applicant by means of this OA has sought a direction to respondent No.3, to pass a formal order on the enquiry report of the applicant, submitted way back on 03.08.2009 and to release the gratuity and pension commutation amounts along with interest @

12% per annum within a stipulated period of time. In the alternative, it has been prayed that the applicant may be permitted to submit a formal representation before the respondents and the respondents may be directed to dispose of the same within a stipulated period of time.

3. Learned counsel for the applicant has submitted that inquiry was concluded by the respondent way back on 03.08.2009 and the copy of the inquiry report was also provided to the applicant by the respondent No.3. However, no formal order was passed on the inquiry report. It is submitted that even till today no formal order has been passed on his enquiry report, despite the expiry of more than 12 years since the conclusion of the enquiry, causing great loss to the applicant because no pensionary benefits has been paid to the applicant till today.

4. In view of the limited prayer made by learned counsel for the applicant, no fruitful purpose will be served in keeping this matter pending and it is disposed off finally at the admission stage with the following directions to both the parties :-

(i) The applicant will submit a detailed representation ventilating all his grievances, before the competent authority amongst the respondents, within a period of 15 days from today along with certified copy of this order.

(ii) If the applicant does so, the concerned respondent/competent authority shall decide it by a reasoned and speaking order in accordance with law within a period of two months from the date of receipt of representation along with certified copy of this order.

(iii) The respondents shall communicate the decision taken on the representation of the applicant, without any delay to the applicant.

5 With the aforesaid direction, the OA is finally disposed of at the admission stage.

6. It is made clear that the Tribunal has not expressed any opinion on the merits of the case.

7. There shall be no order as to costs.

(Tarun Shridhar)
Member (A)

(Justice Vijay Lakshmi)
Member (J)

Sushil