



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 350/01003/2020

Date of order: 2.12.2020

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Arun Kumar Paul,
S/o Late Anath Bandhu Paul,
Aged about 61 years,
Residing at Village – East Akhanagar,
P.O. & P.S. – Kaliyaganj,
Dist. – Uttar Dinajpur (West Bengal),
Pin – 733 129.

... Applicant

- V E R S U S -

1. General Manager,
North East Frontier Railway,
Maligaon (Assam),
Pin – 781011.
2. Chief Personnel Officer,
N.F. Railway,
Maligaon (Assam),
Pin – 781011.
3. Divisional Railway Manager,
N.F. Railway,
Katihar,
Pin – 854105.
4. Divisional Personnel Officer,
N.F. Railway,
Katihar,
Pin – 854105.

... Respondents

For the Applicant : Mr. P.C. Das, Counsel
Ms. T. Maity, Counsel

For the Respondents : Ms. D. Ghosh Dastidar, Counsel

hgrli

ORDER (Oral)Per Dr. Nandita Chatterjee, Administrative Member:

Aggrieved on account of non-payment of interest over delayed payment of Gratuity as well as other retiral benefits, the applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

- (a) Order do issue directing upon the respondents to consider representation dated 1.7.2019 and 2.2.2020 regarding release interest for delay payment of retiral benefits.
- (b) Order do issue directing upon the respondents to produce all the records before the Hon'ble Court.
- (c) Order do issue directing upon the respondents to consider the representation as per RBE No. 169/2008.
- (d) Cost.
- (e) To pass such other or further order or orders as the Hon'ble Court may deem fit and proper."

2. Heard both Ld. Counsel, examined documents on record. This matter is taken up for disposal at the admission stage.

3. The facts in brief, as submitted by Ld. Counsel for the applicant is that, the applicant had superannuated from service on 30.1.2019 but his retiral Gratuity of Rs. 9,48,420/- along with CTG of Rs. 41,600/- was not paid to him despite passage of four months after retirement. Ld. Counsel would further aver that neither any disciplinary proceedings were pending against him nor any notice was issued to him towards the delay in disbursing his entitlements, as intimated to him as per Annexure A-1 to the O.A. Hence, being aggrieved, the applicant had claimed interest over such delayed payment vide his representations dated 1.7.2019 and 20.10.2020 (Annexure A-9 to the O.A. colly.), and, that, as such representations remain pending for consideration, the respondents may be directed to dispose of the same in a time bound manner.



4. LD. Counsel for the respondents would not object to disposal of such representations in accordance with law.

5. Accordingly, without entering into the merits of the matter, and, with the consent of the parties, we hereby direct the competent respondent authority to dispose of the representations of the applicant, if received at his end, within a period of 12 weeks from the date of receipt of a copy of this order. Such decision will be taken as per extant rules of the respondent organization and conveyed in the form of a reasoned and speaking order to the applicant.

 In case of a favourable decision, the applicant's entitlements, as per law, should be released to him within a further period of 10 weeks thereafter.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP