

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1769 of 1992

Allahabad this the 03rd day of January, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Rajeshwar Nath Pandey, Son of Sri Kamla Pati Pandey
resident of Fakirpura, Near Kamla Bhawan, District
Moradabad.

Applicant

By Advocate Shri R. Pandey

Versus

1. Union of India through the Secretary, Ministry of Railways, Government of India, New Delhi.
2. Divisional Railway Manager, Northern Railway, Moradabad Division, Moradabad.

Respondents

By Advocate Shri Prashant Mathur.

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Shri Rajeshwar Nath Pandey has filed this O.A. with the prayer that the order dated 14/15-10-1992 be quashed and the respondents be directed to issue him the post retirement complimentary passes.

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2. As per applicant's case, he retired from the post of Diesel Driver Grade 'C' from Moradabad on 31.8.1991. There was a dispute regarding his date of birth for which he preferred a Writ Petition before the Hon'ble High Court. During the pendency of the Writ Petition, he was granted stay order on 06.8.1983 through which the High Court directed for payment of pension and not to charge punitive rent during the pendency of the Writ Petition. The interim order passed in the Writ Petition, was vacated in September, 1983. The Writ Petition was transferred to the Tribunal under Section 29. The applicant has come up with a case through this O.A. that he is entitled to post retirement complimentary passes.

3. The case has been contested on behalf of the respondents mainly on the ground that since the applicant did not vacate the quarter allotted to him during his service time, he forfeited his right for complimentary passes.

4. On perusal of record and considering the arguments placed by Shri Prashant Mathur, learned counsel for the respondents, I find that as soon as the applicant vacated the government quarter, the benefit of complimentary passes was restored to him and the applicant has not claimed

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for any benefit in retrospect. With the above position in view, the matter becomes infructuous, hence dismissed. No order as to costs.

See also

Member (J)

/M.M./