

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 19th day of October 2000.

Original Application no. 415 of 1994.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member.

Kashi Nath Diwedi,
S/o Shri Avadh Bihari Diwedi,
C/o Shri R.P. Updhayaya,
R/o Village and Post - Matiyara Jagdish
Via Lar District, Deoria.

... Applicant

C/A Shri B. Tiwari

Versus

1. Union of India, through General Manager,
N. E. Rly., Gorakhpur
2. D.R.M. N. E. Rly., Varanasi.

... Respondents

C/Rs. Shri P. Mathur

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O R D E R (Oral)

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

Shri Kashi Nath Dwivedi, applicant retired on 31.01.1994 from the Railway Establishment and being not satisfied in respect of settlement of retirement benefits, he has come up before the Tribunal mentioning in para 4 (XI) that he ~~is~~ is entitled for the payment of amount mentioned in annexure A-5, but the same have not been paid to him for which he has sought for relief in para 8 (II). The applicant has also requested for refund of a sum of Rs. 11,103/- which is said to have been recovered from his salary by way of penal/damage rent. On objection from learned counsel for the respondents that the O.A. suffers from multiplicity of relief and, therefore, not maintainable under Rule 10 framed under C.A.T. Act. Shri B. Tiwari learned counsel for the applicant has shed this relief as not pressed. Now the only relief remains regarding the payments claimed by the applicant ~~as~~ as detailed in annexure A-5 to which there is no specific reply from the side of respondents in para 14 of the CA which is in reply to para 4(xi) of the O.A. which simply mentions "That, the contents of para 4(11) of the application, being matter of record, calls for no comments. However, it is submitted that all legitimate payments had been arranged in favour of the applicant."

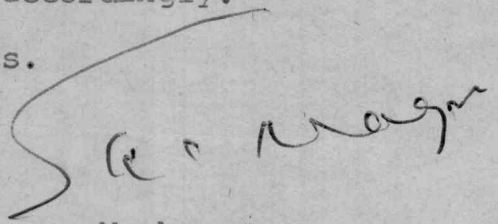
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2. Shri P. Mathur learned counsel for the respondents tried to explain the position and justify the pleadings, but I do not find myself satisfied with it. The claim must have been settled with the specific mention regarding the amount claimed, amount paid, if any, and if no amount or ^{Some} ~~more~~ part of amount has not been paid or paid in part there must be some explanation to the same.

3. For the above, the respondents are directed to re-open the matter and pass appropriate, detailed, reasoned and speaking order on pending representation of the applicant dated 26.01.1994 (annexure A-5 to the O.A.) within 6 months from the date of communication of this order and if any ^{sum} ~~sum~~ of amount comes out which applicant remains to be paid to the ~~O.A.~~ with interest @ 10% p.a.

4. The O.A. is disposed of accordingly.
There shall be no order as to costs.


Member-J

/pc/