

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 12th day of March, 2003.

Original Application No. 488 of 1999.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman.

Gorakh Prasad Srivastava S/o Late Sri Lalita Prasad Srivastava, Retired R.G.S.M /C.T.E. R/o Sector 19/279, Indira Nagar, Lucknow.

.....Applicant

Counsel for the applicant :- Sri N. Mohan (absent)

V E R S U S

1. Union of India through its General Manager, North Eastern Railway, Gorakhpur.
2. Additional Divisional Railway Manager, Varanasi.
3. Enquiry Officer, H.Q, North Eastern Railway, Gorakhpur.
4. Divisional Safety Officer, North Eastern Railway, Varanasi.

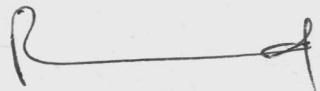
.....Respondents

Counsel for the respondents :- Sri A.K. Gaur

O R D E R (Oral)

By this O.A under section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for a direction to respondent No. 2,3 and 4 to release the pensionary benefits to the applicant including due promotion and increments, commutation of pension, balance of salary of pension period, leave encashment etc. with 18% interest.

2. The facts of the case are that the applicant was serving as R.D.S.M at Chhitauni Railway Station on 20.04.1988. In vigilance inspection it was found that applicant had charged



more than the rate prescribed on the Railway Tickets. He was subjected to disciplinary proceedings in which he was punished and 70% of the DCRG was withheld aggrieved by which applicant filed O.A No. 1098/1989 in this Tribunal which was allowed on 18.10.1995 with direction to re-examine the appeal of the applicant. On re-examination however, the appellate authority maintained the earlier order, then O.A 264/1997 was filed. This O.A was disposed of finally on 04.09.1997 with following direction :-

"The learned counsel for the respondents conceded that the aforesaid letter has actually been issued. Since the impugned letter itself has been cancelled, there is nothing further for us to adjudicate. Since, however, that the amount of DCRG was wrongly withheld, we direct that the 70% of the DCRG which was withheld shall be paid to the applicant within a period of four weeks from the date of communication of this order with interest @ 15% per annum from the date one month after the date of retirement till the actual payment thereof."

3. Counter has been filed by the respondents. In paragraph 6 it has been stated that 70% of the DCRG which comes to the tune of Rs. 58,578/- after deducting Rs. 83/- has been paid to the applicant vide cheque No. E-941816 dated 03.12.1998. The balance of 30% amount Rs. 10,643/- has been paid to the applicant vide cheque which was sent to his home address. It is also stated that in this manner the entire retiral benefits have been paid to the applicant.

4. Considering the facts and circumstances, as the order of this Tribunal has been complied with, no order is required. The O.A is dismissed.

5. There will be no order as to costs.



Vice-Chairman.

/Anand/

06.8.03

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

This application is for review of the order dated 12.3.03 passed in OA No.488/99. I have perused the order and I do not find any error apparent on the face of record calling for review of the order.

The application has no merit and is rejected,. The entire amount due was already paid to the applicant.



VICE CHAIRMAN

Uv/