

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER: 1251 OF 1999

ALLAHABAD, THIS THE 17th DAY OF OCTOBER, 2003

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

Shri Jokhan Misra, s/o Late Shri Ganpat Misra
r/o Village Jiganda, P.O. Bhatni,
Tehsil Saleempur, District-Deoria.

.....Applicant

(By Advocate : Shri S. Prakash)

V E R S U S

1. Union of India through the Chairman, Railway Board, Rail Bhawan, New Delhi.
2. General Manager, North Eastern Railway, H.Qr. Gorakhpur, District-Gorakhpur.
3. D.R.M., N.E. Railway, Varanasi Division, Varanasi, District-Varanasi.
4. D.R.M. N. Railway, Lucknow Division, Hazratganj, Lucknow.

.....Respondents

(By Advocate : Shri K.P. Singh)

O R D E R

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A. applicant has prayed several reliefs for which he is entitled after his retirement. The applicant joined Northern Railway on 15.12.1955 as Signaller in Lucknow Division. The applicant retired from N.E. Railway on 31.05.1993.

2. The grievance of the applicant is that he has not been paid retiral benefits and many other dues for which he was

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legally entitled.

3. Respondents have, on the other hand, filed counter reply in para-10 whereof it has been stated that the applicant failed to handover the charge paper and also retained the ~~material~~ of railway ~~employee~~ hence he was not paid gratuity. He deposited the charge paper on 06.01.1995 and the materials were returned on 25.05.1995 and thereafter the amount of gratuity was released on 23.06.1995. It is submitted by counsel for the respondents that there was no delay in paying the amount of gratuity and applicant is not entitled for the relief.

4, I have considered the submission made by counsel for the parties.

5. In my opinion, since the applicant has filed detailed representation (Annexure-I) wherein he has claimed his various claims pending ^{with} the railways. In my opinion, appropriate authorities in the respondents establishment may be directed to decide the representation of the applicant (Annexure-I) ~~and~~ itemwise claim ~~of the applicant~~ by a reasoned order within 4 months from the date a copy of this order is filed.

6. The O.A. is accordingly disposed of finally with a direction to D.R.M., N.E. Railway Varanasi Division, Varanasi to consider and decide the representation of the applicant (Annexure-I) within a period of 4 months from the date



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a copy of this order is filed. The respondent No.3 shall also decide the itemwise claim of the applicant by a reasoned order. To avoid delay, it shall be open to the applicant to file a representation along with the copy of this order.

7. There will be no order as to costs.



Vice-Chairman

shukla/-