

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD, THIS THE 14TH DAY OF FEBRUARY, 2002

ORIGINAL APPLICATION No.217/2000

HON'BLE Mr. JUSTICE R.R.K. TRIVEDI .. VICE CHAIRMAN

Fauzdari Ram,
S/o Sri Bandhan Ram,
Resident of House No.31-A,
Railway Colony, Kanpur. ... Applicant

(By Advocate shri G.C. Gehrana)

Versus

1. Union of India,
through Divisional Rail Manager,
Allahabad Division, Northern Railway,
Allahabad.
2. The Chief Yard Master,
Northern Railway,
Juhi, Kanpur.
3. The Divisional Rail Manager (Operating),
Northern Railway, Allahabad Division,
Allahabad. ... Respondents

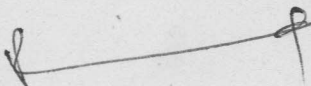
(By Advocate Shri G.P. Agarwal)

ORDER - (ORAL)

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

I have heard Shri G.C. Gehrana, learned counsel for the applicant and Shri G.P. Agarwal, counsel appearing for the respondents.

2. By this O.A., the applicant has prayed to quash the order dated 19-1-2000 by which the applicant was required to vacate the accommodation Railway quarter No.31-A, Govind Nagar, Kanpur, (Type-II). The 2nd relief is for a direction to the respondents not to interfere with the possession of the applicant in the aforesaid quarters.



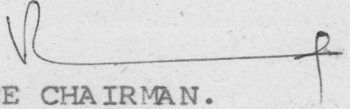
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3. In para 14 of the rejoinder affidavit, the applicant has stated that the aforesaid Railway Quarters has been vacated by him on 12.09.2000. A copy of the intimation to the Chief Yard Master, had been filed at Annexure-4. As the quarter has been vacated, no order is required so far as reliefs No.1 and 2 are concerned.

4. The applicant retired from service on 7-8-1997. His grievance is that he was not paid the retiral, benefits, for which he was entitled. He is simply being paid Pension and was also paid the amount of Provident Fund. The unpaid amount according to the learned counsel for the applicant are Gratuity, Leave Encashment and unpaid salary. As the applicant has already vacated the quarters the respondents may not have any justifiable ground to withhold the retiral benefits.

5. All amounts which are due to the applicant shall be paid to him within three months. If the amount is not paid within this period, the applicant will be entitled for 12% interest ^{from the date of vacation of quarters, and} until the date he is paid the amount.

No order as to costs.


VICE CHAIRMAN.

psp.