

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION No.717/2000

MONDAY, THIS THE 6TH DAY OF MAY, 2002

HON'BLE MR. RAFIQ UDDIN .. MEMBER (A)

Jagdish Chandra,  
S/o Late R.R. Sharma,  
aged about 68 years,  
Retired Guard,  
Central Railway, Agra Cantt.,  
R/o 29/A, Ayodhya Kunj, Agra. ... Applicant

(By Advocate Shri B.L. Kulendra)

versus

1. Union of India, through  
General Manager 'Account'  
(F.A. & C.A.O.) Central Railway,  
Mumbai C.S.T.
2. Sr. Divisional Account Officer,  
Central Railway, Jhansi.
3. Divisional Pay Master,  
Central Railway, Jhansi.
4. Post Master,  
Head Post Office, Agra. ... Respondents

(By Advocates Shri P. Mathur for R-1 to 3  
and Ms. S. Srivastava for R-4).

O R D E R - (ORAL)

The applicant Jagdish Chandra, who retired as Guard from Central Railway, Agra Cantt., under D.R.M., Jhansi on 31.7.1989 on attaining the age of superannuation has filed this O.A. for issuing direction to the Respondents to make payment of his D.C.R.G. amounting to Rs.49,520/- along with interest from 1.8.1989.

2. According to the applicant, after his retirement from Railway department, he has not been paid the D.C.R.G. amount which comes to the tune of Rs.49,520/-. The applicant

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claimed that he made several representations and also sought interview with the Railway authorities regarding non-payment of D.C.R.G. amount in question, the payment has not so far been paid to him. The applicant claims that he was informed orally by the Senior P.A.O. office, Central Railway, Jhansi, that the amount of the D.C.R.G. was paid to him through Cheque No.649064, dated 15.11.1989 for Rs.49,520/-, which was issued in favour of the applicant. But, the same has not been received by him. Hence, he has filed the O.A.

3. I have heard Shri B C. Kulendra for the applicant, Shri P. Mathur for Respondents No.1 to 3 and Ms. S. Srivastava for Respondent No.4.

4. The learned counsel for respondents has raised the question of limitation and has contended that since the dispute relates to the year 1989 and the O.A. has been filed in the year 2000, without seeking condonation of delay in filing the O.A., the O.A. is liable to be dismissed.

5. I however, find from the facts of the case that admittedly the respondents have sent a cheque of the amount of D.C.R.G. to the applicant on 15.11.1989. There remains the dispute of receiving the cheque by the applicant. Therefore, I do not find it appropriate to dismiss the O.A. on the ground of limitation only. Considering the facts and circumstances of the case, the O.A. is disposed of with the

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direction to the respondents to furnish to the applicant the particulars of the mode of despatch of the Cheque in question within a period of 3 months and if possible, the details of the account in which the amount in question has been debited <sup>R should be furnished to the Applicant R</sup> also. The O.A. stands disposed of accordingly. No costs. It will be open for the applicant to approach the proper forum, if necessary and if so advised on receipt of the particulars from the Railway Department for the redressal of his grievance.

*Ravi Wadhwa*  
MEMBER (J)

psp.