

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 22nd day of September 2003.

Original Application no. 1130 of 2003.

Hon'ble Maj Gen K K Srivastava, Member-A.

Bharat Mistry, s/o late Janaki Mistry,
R/o Bajrahi P.O. Parsawan District Gaya.

.... Applicant

By Adv : Sri S.K. Dey & Sri S.K. Mishra

Versus

1. Union of India through the General Manager, E.C. Rly., Hajipur, Bihar.
2. The Divisional Rly., Manager, E.C. Rly., Mughalsarai, Distt. Chandauli.

.... Respondents.

By Adv : Sri K.P. Singh

O R D E R

By Maj Gen K K Srivastava, Member (A).

In this OA, filed under Section 19 of the A.T. Act, 1985, the applicant has prayed for the following reliefs:-

- "i. That this Hon'ble Court may be pleased to direct the respondents to make payment his due D.C.R.G. amounting to Rs. 69,800/- being deducted from the amount of D.C.R.G. with interest at the rate of 18%.
- ii. Any other relief or reliefs to which he is entitled may also be awarded to him."

2. The facts, in short, are that the applicant joined the respondent's establishment on 13.12.1966 and retired as Fitter Grade II on 31.1.2003. After his superannuation his post retiral benefits were paid, except the DCRG which amounted to Rs. 1,20,384/-. The grievance of the applicant

2.

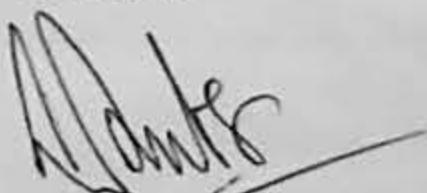
is that he was paid only Rs. 50,584/- towards DCRG and an amount of Rs. 69,800/- was deducted without giving him any opportunity of hearing. Aggrieved by the same the applicant has filed a representation before respondent no. 2 i.e Divisional Railway Manager, E.C. Rly., Mughalsarai on 12.5.2003 (Ann 5) which has still not been decided.

3. Heard learned counsel for the parties, considered their submissions and perused the record.

4. In my considered opinion, the ends of justice shall be better served, if the representation of the applicant dated 12.5.2003 (Ann 5) is decided by respondent no. 2 by a reasoned and speaking order within specified time.

5. For the aforesaid, the OA is disposed of at the admission stage with direction to respondent no. 2 to decide the representation of the applicant dated 12.5.2003 (Ann 5) by a reasoned and speaking order within a period of three months from the date of communication of this order.

6. There shall be no order as to costs.


Member (A)

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