

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 549 OF 2003

MONDAY, THIS THE 14th DAY OF JULY, 2003

HON'BLE MRS. MEERA CHHIBBER, MEMBER(J)

Paresh Chandra Bachhar, Retired Office,
Superintendent, Central Organisation of
Railway Electrification (CORE),
Allahabad, R/O 11/6 A, Nayapura, Kareilly,
Allahabad.

....Applicant

(By Advocate : Shri S. M. Pandey)

V E R S U S

1. Union of India through Secretary
Railway Board, Rail Bhawan,
New Delhi.
2. Financial Advisor and Chief Accounts Officer(Pension)/
Bank Wing, Eastern Railway (Head Quarters), 17,
Netaji Subhas Road, Kolkata.
3. Chief Workshop Manager, Eastern Railway, Jamalpur,
District Munger,
Bihar.
4. Deputy Chief Accounts Officer (Workshop),
Eastern Railway,
Jamalpur, District Munger, Bihar.
5. General Manager, Central Organisation of Railway
Electrification (CORE),
Nawab Yusuf Road,
Allahabad.


.....Respondents

(By Advocate : Shri G.P. Agarwal)

O R D E R

By this O.A. applicant has sought the following reliefs:-

- "(I) Issue a writ, order or direction in the nature of mandamus commanding the respondent Nos.3 & 4 to make the payment of interest of Rs.56,564/- @ 12% on Rs.4,35,746/- and on consecutive monthly balance of pension amount, which had been paid to the applicant without interest after a gap of one year.



.....2/-

- (II) Issue another writ, order or direction in the nature of mandamus commanding the respondent No.3 to decide the representation of the applicant dated 16.07.2001 for payment of interest of Rs.56,564/- @12% on the amount of Rs.4,35,746/- and Rs.4,274/- on balance of pension amount (Annexure-5)
- (III) Issue any other and further writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.
- (IV) and award cost to the applicant."

2. The grievance of the applicant in this case is that he retired on 31.05.2000 while he was working as Office Superintendent Gr.I under the Chief Electrical Engineer, Railway Electrification, Allahabad. But he has neither been paid his pension nor his gratuity after computation of pension, even though he has submitted all his papers before the respondents. When he was retired, he was only paid leave encashment, provident fund, group insurance scheme amounts i.e. 1st June 2000 but other amounts were not paid to him. Therefore, he gave a detailed representation on 11.09.2000 to respondent No.5 for releasing the above said amounts (Annexure-^I). Ultimately, he was paid the amounts on account of gratuity, computation of pension and pension after one year i.e. 01.06.2001 without giving him any interest on the said amounts. Since the delay was not attributable to the applicant, he requested the authorities vide his letter dated 16.07.2001 for payment of interest @ 12% on the amounts paid to him by the respondents (Annexure-5), but nothing has been done by the said respondents. The application was followed by number of reminders which ^{is} ~~was~~ evident from the letter issued by respondent No.2 (Pg.28 & 31) whereby the matter was referred to the Deputy CAO(W) Eastern Railway, Zamalpur for taking appropriate action. It is



submitted by the applicant that inspite of several representations till date neither he has been paid any interest on the delayed payments nor respondents are passing any orders on the representations given by the applicant. Therefore, finding no other remedy applicant had to file the present O.A.

3. Counsel for the respondents was seeking time to file his reply but perusal of the documents annexed by the applicant with this O.A. shows that till date respondents have not passed any positive orders either rejecting his claim or stating otherwise with regard to the claim made by the applicant. Therefore, I feel that no purpose would be served by issuing a notice to the respondents, as all that is required at this stage is that respondents ^{should} ~~are to~~ apply their mind to the facts as narrated by the applicant and then pass a detailed order dealing with all the points raised by the applicant. Since these are the ^{matters} ~~errors~~ which ~~were~~ best known to the respondents themselves, therefore, I am disposing off the O.A. at the admission stage itself by giving a direction to the respondents to consider the representation (Pg.14) given by the applicant followed by number of reminders and to pass a reasoned and speaking order thereon within a period of 3 months from the date of receipt of a copy of this order under intimation to the applicant. *In case he is entitled to interest, the same should be paid within the above period, otherwise reasoned order should be passed.*

4. With the above direction, this O.A. is disposed off at the admission stage itself with no order as to costs.

Member (J)