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(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD**

ALLAHABAD this the 25 day of JULY, 2007.

**HON'BLE MR. P.K. CHATTERJI, MEMBER- A.**

**ORIGINAL APPLICATION NO. 530 OF 2007**

Prem Shankar, a/a 44 years, S/o Late Sunder Lal,  
R/o house No. 629, Chitra Gupta Colony,  
Mohalla- Mohanganj, Kashganj, Distt. Etah (U.P.).

.....Applicant.

VE R S U S

1. Union of India through General Manager (P),  
N.E. Railway, Gorakhpur.
2. The Divisional Mechanical Engineer (Power),  
N.E. Railway, Izatnagar.
3. The Assistant Mechanical Engineer (Power),  
N.E. Railway, Izatnagar.

.....Respondents

Present for the Applicant: Sri Rakesh Verma  
Present for the Respondents : Sri P.N. Rai

**ORDER**

The applicant, an employee of the Railways, was dismissed from service after disciplinary proceedings on the charge of unauthorized absence from duty. After his dismissal, he filed O.A No. 1348/ 1998 in this Tribunal, which was decided with direction to the respondents to reconsider the quantum of punishment and take appropriate decision. In pursuance of the direction of the Tribunal, the respondents took up the

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matter and modified the punishment of dismissal from service to that of compulsory retirement from service. According to the applicant, though the order of compulsory retirement was issued on 14.09.2006, about 10 months have passed since then, the respondents have not taken any action for giving him the pension and other retiral benefits on modification of the order of dismissal from service. The applicant made representation on 16.10.2006 but even now, his representation remains undecided.

2. The rules being clear that in case of compulsory retirement, the official becomes entitled to retiral benefits, <sup>have started</sup> The respondents may ~~dispose~~ <sup>meanwhile</sup> to prepare the necessary papers for granting of the benefit. However, I agree with the learned counsel for the applicant that the matter should not take so long. Therefore, I do not think necessary to keep the O.A pending in this Tribunal as I am confident that the respondents might <sup>unless they have other justifiable reason</sup> <sup>meanwhile</sup> have taken suitable action, If so, they may do it expeditiously. I, therefore, dispose of the O.A with direction to the respondent No. 2 to consider the representation of the applicant for retiral benefits and take appropriate decision in accordance with rules within a period of three months from the date a certified copy of this order is produced. No costs.

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(P.K. CHATTERJI)  
MEMBER-A.

/ANAND/