

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

R.A. 12195 in

O.A. NO. 448/92
~~T.A. NO.~~

DATE OF DECISION 12-6-1995

Mr. Vashram Jasa **Petitioner**

Nr, M.M.Xavier **Advocate for the Petitioner (s)**

Versus

Union of India and Others **Respondent**

Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. V.Radhakrishnan **Member (A)**

The Hon'ble Mr. Dr. R.K.Saxena **Member (J)**

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

Vashram Jasa,
Ex-Point Jamadar
Sihor Junction,
Western Railway,

Residential Address :

Plot No.10 Near Railway
Station Sihor Junction,
Dist. Bhavnagar

Applicant

Advocate Mr. M.M.Xavier

Versus

The Union of India
Western Railway and Others

Respondents

Advocate

O R D E R

In

Date : 12/6/1995

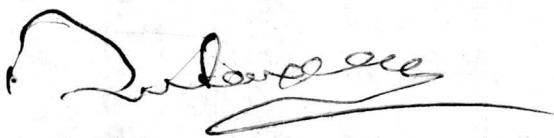
R.A. No. 12/95 in O.A.448/92.

Per Hon'ble Shri V. Radhakrishnan Member (A)

Even though notice was issued to the respondents returnable within four weeks on 8/2/1995 till date no reply has been filed by the respondents. As enough opportunity has been given to the respondents and they have not filed reply as yet it is presumed that they have nothing more to say in the matter and hence the matter is decided on merits.

2. The respondents had withheld Rs. 8049 from Gratuity amount of the applicant without any authority and in the original application there was prayer for direction being given to the respondents to release the amount withheld with 18% running interest. This aspect was however overlooked in our judgment dated

2-10-1988. There is every reason to award interest on the withheld amount of Rs 8049/- which was not supposed to have been withheld. Accordingly there is force in the contention of the counsel for the applicant made in Review Application that the applicant should be awarded interest on the amount withheld starting from three months subsequent to the date of retirement of the applicant. Accordingly the respondents are directed to pay interest at the rate of 12% on the withheld amount of Gratuity of Rs. 8049/- from 2-10-1988 till the date of actual payment and the same shall be paid to the applicant within a period of 8 weeks from the date of the receipt of this order. Review Application stands disposed of accordingly. No order as to costs.



(Dr. R.K.Saxena)
Member (J)



(V. Radhakrishnan)
Member (A)

*AS.



No. CAT / Adm. / Adm. / FT-48195 J.A. 3 | VOL. 4 |
CENTRAL ADMINISTRATIVE TRIBUNAL

23-A, Thornhill Road
Allahabad-211001

Dr. R.K. Saxena,
MEMBER (Judicial)

Dated : 09/6/95

My Dear Radhakrishnan,

The bundle containing 4 Review Applications alongwith the second copy of the O.A. were received by me.

Except review application no. 13/95 in O.A. No. 769/88, in which order is to be dictated and the file is detained, other files given below are being sent for your perusal and pronouncement of orders.

1. Review Application No. 12 of 1995

In

Original Application No. 448 of 1992

*V
into
R.K.S.
D.C.J.*
I have signed the order after agreeing with the view taken by you.

2. Review Application No. 24 of 1995 In
Original Application No. 757/94

I have prepared the order and signed the same. If, you agree, it may be pronounced.

3. Review Application No. 25 of 1995 In
Original Application No. 344/95

I have dictated the order, dealing with the application as an application for vacation of interim order. Such application can be disposed of by any Bench which may be constituted in the matter. The order to this effect has been prepared and signed by me. In case, you agree it may be pronounced in the Court.