

ORDER DATED 14.12.06

Heard Mr.C.R.Nandy,Ld.Counsel for the Applicant.

2. Applicant is a retired Railway employee. His gratuity was withheld because a disciplinary proceeding was pending against him. After that he made several representations before the authorities for disbursement of his D.C.R.G. In response to the representation of the applicant, the authorities conducted a fresh enquiry. The applicant attended the enquiry on 30.12.03, but no enquiry report was made available to him by the Respondents. Thereafter he seems to have preferred a representation(Annexure-A/7) before the DRM(Engg.) (Res.No.4) dated 15.3.06. This is preceded by two representations vide Annexures-A/2 and A/3 and some reminders have also been sent.

3. In view of the above, since the departmental remedies have not yet been exhausted and the proceeding is still pending, it is premature to entertain the application on admissibility of the gratuity and the Res.No.4 is directed to take a final view on the representation dated 15.03.06(Annexure-A/7) which appears to be pending with him, within two months from the date of receipt of this order.

4. With the above, this O.A. is disposed of at the admission stage.

5. Send copies of this order along with copies of the O.A. to the Respondents and free copies of this order be given to the Counsel for both the parties.

B.R.M.
MEMBER(ADMN.)

Lide
VICE-CHAIRMAN