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O.A.NO.862 OF 2006

ORDER DATED 11.01.07

Heard Mr.B.K.Sahoo,Ld.Counsel for the Applicant and Mr.S.K.Ojha,Ld.Standing Counsel for the Respondents; on whom a copy of the O.A. has already been served.

2. The case of the Applicant is that he was placed under suspension on 26.5.1997 and the same order was revoked unconditionally on 23.06.97. Charges were framed against the petitioner, which were received on 17.11.97 and on 09.01.98 he filed O.A.No.27/98 praying to (1) drop the departmental proceeding (2) to pay full salary from 26.5.97 and (3) to place in original post of Trolley Man. The O.A. was disposed of by the Division Bench of this Tribunal on 03.01.2000. But that order was not complied with. After that the Applicant has filed a representation (Annexure-5) before the Asst.Engineer(Central),S.E.Railway,Cuttack on 07.02.2000 and subsequently another representation(Annexure-6)before the Sr.Asst.Divl.Engineer(Res.No.3) on 22.03.04 claiming to disburse all legal dues and benefits from the date of suspension of him as due and admissible.

3. Mr.Ojha,Ld.Standing Counsel for the Respondents/Railways submits that some dues are ready to be disbursed but the applicant does not present himself to collect it.

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4. In view of the above, since the representation of the Applicant is still pending with Res.No.3, it is directed that the Sr.Asst.Divl.Engineer (Res.No.3) shall clear all legal dues keeping in mind the orders of this Tribunal dated 03.01.2000 in O.A.No.27/98, as per rules, within one month from the date of receipt of this order and intimate the date to the Applicant on which the payment shall be made to the Applicant who will present himself to receive the same.

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

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

B/Sr 2
MEMBER (ADMN.)

[Signature]
VICE-CHAIRMAN