

NOTES OF THE REGISTRY

4.8.03

Ld. Counsel for the applicant present. ADs back after service from Res. 1 and 4, who are absent on call and no steps taken by them to file any counter. ADs not yet back from Res. 2 and 3, although notices by Regd. Post sent to them on 20.1.03 and hence service is treated sufficient on them. Call on 29.8.03 for counter, if any.

REGISTRAR

App. Memo on

behalf of respds / counter not filed.

For further orders.

29.8.03

Ld. Counsel for the applicant present. Res. 1 and 4 continue to remain absent, and no steps taken by them to file any counter, so also Res. 2 and 3. Therefore, put up before the Bench for further orders.

REGISTRAR

App. Memo / counter

not filed

For orders.

Bench

Or. dt. 24.9.03

Neither any app. memo / vakalatnama on behalf of respds nor counter filed yet. For further orders.

ORDERS OF THE TRIBUNAL

Order dated 08.1.04.

At request four weeks time is allowed as last chance to file counter. Adj'd. to 10.02.04.

Vice-Chairman

Member (J)

B.

ORDER DATED: 28.07.2004.

Heard Mr. P. K. Nayak, Learned Counsel for the Applicant and Mr. T. Rath, Learned Additional Standing Counsel appearing for the Respondents/ Railways and perused the materials placed on record.

The grievance of the Applicant in this O.A. is that although he retired from service w.e.f. 1.2.1989 and he was paid his pension, GPF dues and other retiral benefits, DCRG money has not been released in his favour as yet. He repeatedly represented to the Respondents for release of that amount but without any success. He has, therefore,

Bench

DA 1222/02

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ORDERS OF THE TRIBUNAL

Mr. T. R. Kulkarni, A.K.
has also appeared
on behalf of R-3 & 4.
Counter not filed
for further order.

2/12 Bench

Order 5.12.03

Counter not filed
for further order.

2/1/04 Bench

Order 8.1.04

Counter not
filed.
For further order.

4/2/04 Bench

~~For Hearing~~
Rejoinder not
filed.

22/2 Bench

Order 28.2.04

Copies of order
prepared for counsel
for both sides.

27/3/04

prayed the Tribunal to direct the
Respondents to pay him the DCRG money
with interest at the market rent w.e.f.
1.10.1989.

Respondents have admitted
the delay in payment of the DCRG.
They have also disclosed that the payment
was withheld on account of certain
allegations levelled against him by the
Railway police in a theft case. However,
when finally the Applicant was cleared
from the charges levelled against him, the
DCRG money was released and the amount
was passed for payment on 9.12.2003. Learned
Counsel for the Applicant pointed out
that in the counter it has not been
clarified whether the interest payable
to the applicant for the delayed payment
of the DCRG has been sanctioned or not.

In the circumstances, this O.A.
is disposed of with direction to the
Respondents that they should verify whether
interest has been passed for payment along-
with principal amount of DCRG money and in
case no interest has been paid, the same
may be paid to the Applicant by ordering
a supplementary payment order. Liberty is
also granted to the Applicant to agitate
the matter before this Tribunal, if the
said payment of interest ^{is} ~~not~~ made to him
within a period of 120 days from the date
of receipt of a copy of this order.

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ORDERS OF THE TRIBUNAL

With the above observations
and directions, this O.A. is disposed of.
No costs.


(B.N. SOM)
VICE-CHAIRMAN