

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

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 counter, if any.

~~REGISTER~~

App. Memo on behalf of resps/ ~~for~~  
counter not filed.

for further orders.

28/7Recd.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.

~~REGISTER~~

App. Memo/counter  
not filed  
for orders.

BenchOr. At. 24.9.03

Neither any app. memo/counter on behalf of resps/ nor counter filed yet.  
for further orders.

28/7BenchOrder dated 08.1.04.

At request before weeks time is allowed as last chance to file counter. Adjd. to 10.02.04.

Vice-ChairmanMember (J)B.J.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,

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

4/12  
Bench

Order. 5.12.03

Counter not filed  
for further order.

6/1/04  
Bench

Or. 20. 8.1.04

Counter not  
filed  
for further order.

6/2/04  
Bench

~~For Hearing~~

Respondent not  
filed.

7/2/04  
Bench

Or. 20. 28.7.04

Copies of order  
prepared for counsels  
for both sides.

Jh  
8/1/04

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.

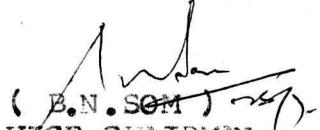
Respondents have admitted the delay in payment of the DCRG. They have also disclosed that the payment was withheld on account of certain allegations levelled against him by the Railway police in a theft case. However, when finally the Applicant was cleared from the charges levelled against him, the DCRG 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 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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With the above observations  
and directions, this O.A. is disposed of.  
No costs.

  
( B.N. SOM )  
VICE-CHAIRMAN