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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 769 OF 2010

Cuttack this the 3rd Day of December, 2010

CORAM:

HON'BLE SHRI M.R.MOHANTY, VICE-CHAIRMAN

...

Nakula Jena, aged about 61 years, S/o.Baidhar Jena, Permanent Resident of At:Bachara, PO-Jatni, Dist-Khurda, Retd.Khalasi Helper, Office of Deputy CSTE/Con./East Coast Railway, Rail Vihar/Bhubaneswar, Dist-Khurda
...Applicant

By the Advocates: M/s.N.R.Routray, S.Mishra & T.K.Choudhury

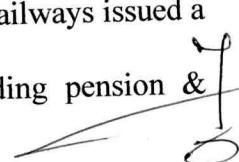
-VERSUS-

1. Union of India represented through the General Manager, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist-Khurda
2. Senior Personnel Officer, Construction/Coorination, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist-Khurda
3. Deputy Chief Signal & Traffic Engineer/Con./East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist-Khurda
4. Senior Divisional Financial Manager, East Coast Railway, Jatni, Khurda Road Division, Dist-Khurda

...Respondents

By the Advocates: Mr.S.K.Ojha, SC.

ORAL ORDER

1. Heard Mr.N.R.Routray, learned counsel for the Applicant and Mr.S.K.Ojha, learned Standing Counsel for the Railways (to whom a copy of this O.A. has been supplied) and perused the materials placed on record.
2. Applicant, who claims to have conferred with 'Temporary Status' on 24.04.1990 and brought over to regular establishment on 12.02.1993 and faced retirement from service on 30.04.2010, represented on 09.06.2010 for early settlement of his retrial dues. Some documents have been placed on record in support of his case. In fact Senior Personnel Officer (Con.)/Coordination of the Office of the Chief Administrative Officer (e) of Respondent-Department of East Coast Railways issued a Circular on 21.08.2007 requiring early settlement of dues (including pension & 

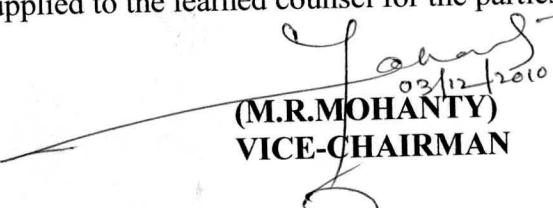
DCRG) to the members of the staff (who are retiring on superannuation) and, despite that, there has been no response from the Respondents for timely settlement of retrial dues of the Applicant. With the above said allegations, the Applicant has approached this Tribunal with the present Original Application filed (on 02.12.2010) under Section 19 of the Administrative Tribunals Act, 1985, wherein it has been prayed as under:

- i) To direct the Respondents to issue pension payment order.
- ii) To direct the Respondents to release DCRG, Commutation, Leave Salary & Pension with 12% interest; and
- iii) Pass any other order as this Hon'ble Tribunal deems fit and proper in the interest of justice".

3. Since it is the positive case of the Applicant that his representation (for early release of his pension/retrial dues) is still pending undisposed with the Respondents, without any waste of time, this case is hereby disposed of with direction to the Respondents to consider and dispose of the grievances of the Applicant (for early release of pensionary/retrial dues of the Applicant) within 45 days of receipt of the copies of this order, under intimation to the Applicant.

4. Send copies of this order to the Applicant and Respondents (together with the copies of the O.A.) by Regd.Post.

5. Free copies of this order be also supplied to the learned counsel for the parties.


(M.R.MOHANTY)
VICE-CHAIRMAN

03/12/2010