

O.A. No. 495/09

ORDER DATED 23rd OCTOBER, 2009

Coram:

Hon'ble Mr. Justice K. Thankappan, Member (J)

Hon'ble Mr. C.R. Mohapatra, Member (A)

Heard Mr. N.R. Routray, Ld. Counsel for the applicant and Mr. S.K. Ojha, Ld. Standing Counsel for the Respondents on whom copy of the O.A. has already been served.

2. In Original Application the applicant has prayed for the following:-

“ a) to direct the Respondents to issue PPO and release all the financial benefits i.e. pension, DCRG, Commuted value of pension, leave salary, P.F. & C.G.E.G.I.S. and pay 12% interest on the entire amount from the date of entitlement to the date of actual payment; ”

3. It is the case of the applicant that having served as Gangman under the Railways with temporary status and on regular basis for 7 and 17 years respectively, he retired from service as superannuation in March, 2005. The applicant has filed Annexure-A/1 Memorandum dated 16.07.1992 to show his regularization in service w.e.f. 01.04.1988. Although the applicant has not produced any order of retiring on superannuation from service, but he claims to have retired from service in March, 2005 is based on the date of birth as

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mentioned in Annexure-A/1. Be that as it may, the grievance put forth by the applicant is that even though he had rendered qualify service making him entitled to retiral benefits, pension etc., he has not received anything from the Respondents so far notwithstanding his representation dated 03.11.2008 addressed to Respondent No.3 at Annexure-A/2. We also notice that the above mentioned representation has not been replied by the Respondent No.3.

4. In the above circumstances, we are of the view that this O.A. can be disposed of by directing Respondent No.3 who is the recipient of Annexure-A/2 representation consider and pass appropriate orders in so far as the prayer of the applicant for issuance of PPO, release of pension and all other retiral dues are concerned, if the applicant is not otherwise debarred from any such benefits. Ordered accordingly. The above direction shall be completed within a reasonable time, at any rate within 60 (sixty) days of the receipt of the copy of this order.

5. The O.A. is disposed of at the admission stage.
No costs.

6. Copy of the O.A. as well as a copy of the order be sent to Respondent No.3 for compliance.

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MEMBER(A)

Ukappan
MEMBER (J)