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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00276 OF 2016
Cuttack, this the 19th day of September, 2016

CORAM
HON'BLE MR. R.C. MISRA, MEMBER(A)

.....
Raghunath Pradhan, aged about 62 years, Son of Dandapani Pradhan, Ex-Peon, Administration, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar, presently residing in B-210, DHPL Sahoo Complex, Rangamatia, Gadakana, Mancheswar, Bhubaneswar, Dist-Khurda-751017.

.....Applicant

By the Advocate(s)-M/s. P.K. Jena, N. Panda, D.P. Mohapatra

-Versus-

Union of India, represented through

1. Secretary, Ministry of Railways, New Delhi.
2. General Manager, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar.
3. Deputy General Manager, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar.
4. Chief Personnel Officer, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar.

.....Respondents

By the Advocate(s)- Mr. T. Rath

O R D E R(Oral)

R.C. MISRA, MEMBER (A):

Heard Sri P.K. Jena, Ld. Counsel appearing for the Applicant and Sri T. Rath, Ld. Standing Counsel appearing for the Respondents-Railways, on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. The case of the applicant is that he was working as a Peon in G.A. Department of East Coast Railways under the control of Deputy General Manager, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar (Respondent No.3). He retired from the Railway service on 31.05.2014 on attaining the age of superannuation. Before his date of retirement he had submitted all the papers and documents with regard to his Pension, Provident Fund, Leave Salary, Gratuity etc., to the Respondent No.3 for processing the pension papers. The submission of the Ld. Counsel for the applicant is that even after two years he has not received his retirement dues. It is further brought to my attention that the



applicant has made a representation to Respondent No.3 in which he has made a prayer to the Respondents for release of retirement dues. On perusal of the said representation it is noted that he was implicated in Tekalli P.S. C.R. No.125/2013 and was arrested on 21.05.2014 but soon released on bail by the Judicial First Class Magistrate, Tekalli (A.P) on 23.05.2014 and the charge sheet in the said case has not yet been filed. He has made a prayer that on the date of his retirement there was no Departmental Proceeding or Judicial Proceeding instituted against him and there was no ground for withholding his legitimate dues on these grounds.

3. After hearing Ld. Counsel for both the sides, I do not intend to go into the question of law in this matter since a representation is pending with regard to the release of retirement dues. Therefore, without going into the merit of this case I dispose of this O.A. with a direction to Respondent No.3 to consider and dispose of the representation dated 17.08.2015 (Annexure-A/3) if the same is pending at his level with a reasoned and speaking order to be communicated to the applicant within three months from the date of receipt of this order. It is further directed ^{that} ~~If~~, after such consideration it is found that the applicant is entitled to the relief claimed by him then the same be extended to him within a further period of 03 (three) months from such consideration.

4. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

5. On the prayer made by Sri P.K. Jena, Ld. Counsel appearing for the Applicant, copy of this order, along with paper book, be sent to Respondent No.3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 21.09.2016.

6. Free copy of this order be made over to Ld. Counsel appearing for both the sides.


(R.C.MISRA)
MEMBER(A)