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H. Dalei Vs. D/o Post

For Admission Sl.No.13
O.A. No.395/16
Order dated 27th June, 2016

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

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Heard Mr.D.K.Mohanty, learned counsel for the applicant and Ms.S.Mohapatra, learned ACGSC. Grievance with which applicant has approached this Tribunal is that 10% residual gratuity amounting to Res.56,765/- was not released by respondent-authorities in his favour. On the other hand, the instruction provided by the Superintendent of Post Offices reveals that this amount has already been paid to the applicant on 13.8.2013. Since the learned counsel for the applicant denied that applicant ever received the amount, Ms.Mohapatra was asked to obtain instructions particularly with regard to AB Account in which this amount has been paid. Ms.Mohapatra has obtained instruction to-day and submits that this amount has been paid to the applicant on 13.8.2013 at Angul Head Office. Copy of Memo of acquittance with the signature of the applicant in token of receipt of the said amount has already been produced by the learned ACGSC. On being pointed out, Mr.Mohanty admitted the amount to have been received by the applicant. From the above, it is very clear that the applicant has misled the Tribunal by making a false claim against the respondents. Be that as it may, since the applicant has

already received the amount of residual gratuity, there remains nothing to be adjudicated in this O.A. which is accordingly disposed of as infructuous. No costs.

R. J. Lewis
MEMBER(A)