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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00770 OF 2014

Cuttack this the 13th day of November, 2014

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HON'BLE MR. A.K.PATNAIK, MEMBER (J)

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

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Chhittaranjan Mishra,
aged about 62 years,
S/o- Sashadhar Mishra,
At-Erein, P.O-Charampa,
Dist-Bhadrak,
Retired as Headmaster,
Mixed Primary School,
Old Settlement South Eastern Railway,
Kharagpur.

.....Applicant

Advocate(s)- M/s- P.K. Rath, R.N. Parija, A.K. Rout, S. Pattnaik, P.K. Rath

VERSUS

Union of India represented through

1. Secretary,
Railway Board,
Ministry of Railways,
Rail Bhawan, New Delhi-110001.
2. General Manager,
G.M. Building, South Eastern Railway,
Garden Reach, Kolkotta-700043.
3. Chief Personal Officer,
G.M. Building, South Eastern Railway,
Garden Reach, Kolkotta-700043.
4. Divisional Railway Manager/
DRM Building, South Eastern Railway,
Kharagpur-721301.
5. Senior Divisional Personal Officer,
DRM Building, South Eastern Railway,
Kharagpur-721301.
6. Divisional Personal Officer,
DRM Building, South Eastern Railway,
Kharagpur-721301.

..... Respondents

Advocate(s)..... Mr. T. Rath

Alleg

ORDER (ORAL)

A.K.PATNAIK, MEMBER (J):

Heard Mr. R.N. Parija, Learned Counsel appearing for the Applicant, and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 in which the applicant has prayed for the following reliefs:

“...to direct the respondents to release the DCRG dues, Commutation value of pension and other retirement benefits along with interest in favour of the applicant immediately.”

Mr. Parija, Ld. Counsel appearing for the applicant, submitted that the applicant, who while working as Headmaster in Mixed Primary School, Old Settlement, South Eastern Railway, Kharagpur has retired on 30.09.2012 on attaining the age of superannuation. He made a representation dated 29.04.2012 before the Divisional Railway Manager, S.E. Railway, Kharagpur i.e. Respondent No.4, vide Annexure-A/8 claiming payment of his DCRG and commutation money with interest, but till date no reply has been received by the applicant and hence, he has approached this Tribunal in the present O.A. with the aforesaid reliefs.

3. Mr. T. Rath, Ld. Standing Counsel for the Railways, submits that he has no immediate instruction if any such representation has been filed by the applicant and, if so, the status thereof.


4. In view of the aforesaid facts and the positive case of the applicant that his representation dated 29.04.2012 is still pending with the Respondent No.4, at this stage, without entering into the merit of this case, we dispose of this O.A. by




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directing Respondent No.4 to consider the said representation, if the same is still pending with him, and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of 60 days from the date of receipt of a copy of this order. We make it clear that if after such consideration the applicant is found to be entitled to the claim he is making then expeditious steps be taken within a period of 90 days from the date of such consideration to extend those benefits to the applicant. However, if in the meantime, the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of copy of this order.

5. On the prayer made by Mr. Parija, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent Nos. 4 & 5 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 18.11.2014. Free copy of this order be also made over to and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondent-Railways.


(R.C.MISRA)
MEMBER(A)


(A.K.PATNAIK)
MEMBER(J)

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