

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH.

No. O.A. 1184 of 1996.

Present : Hon 'ble Dr. B.C.Sarma, Member (A)

Hon 'ble Mr. D.Purakayastha, Member (J)

BIMALENDU DAS ... Applicant.

Vs.

1. Union of India, through the General Manager, E.Railway, 17, Netaji Subhas Rd., Calcutta-1.
2. The Chief Personnel Officer, E.Railway, 17, Netaji Subhas Road, Calcutta - 1.
3. The Divisional Railway Manager, E.Railway, Howran.
4. The Senior Divisional Personnel Officer, E.Railway, Howran.
5. The Senior Divisional Engineer, (Coordination), E.Railway, Howran.
6. Assistant Engineer, E.Railway, Burdwan.

... Respondents.

For applicant : Mr. S.Pal, Counsel.

For respondents : Mr. P.K.Arora, Counsel.

heard on: 2.1.97 :: ordered on: 2.1.97.

O R D E R

B.C.Sarma, AM

The dispute raised in this application is about withholding of some of the retirement benefits due to the applicant after his retirement on 1.1.95. These benefits are the commuted value of pension; pension; D.C.R.G.; and cash payment of leave salary. Being aggrieved the instant application has been filed with the prayer that a direction be issued on the respondents to release all his retirement benefits and also to pay interest at the rate of 18 per cent per annum till the date of payment.



2. When the admission hearing of the matter was taken up today, Mr. P.K.Arora, ld. counsel for the respondents, invited our attention to the annexure 'D' and 'I' to the application. It appears from those annexures that there was some discrepancies in the stock verification report regarding the verification of dead-stock, tools and plants in the year 1993-94. Mr. Arora, therefore, submitted that retiral benefits have been withheld for obtaining verification report of such stocks.


3. The matter has been considered by us after hearing the learned counsel for both the parties and perusing records. Admittedly, the applicant had retired on attaining the age of superannuation on 1.1.95. It is the duty of the respondents railway to pay him retirement benefits immediately thereafter or at least within a period of three months from the date of retirement. We find that although some retirement benefits like GIS money as well as provident fund money has been paid to him, the applicant has not received even provisional pension not to speak of other retirement benefits like D.C.R.G.; encashment of leave salary etc. The ground taken by the respondents, as it would appear from the copy of the correspondence at annexure 'D' and 'I' to the application, that the stock verification report for the year 1993-94 is still to be finalised; we would like to observe that this matter should have been finalised very quickly and for that the applicant cannot be penalised. In any event, we are of the view that a suitable direction should be given on the respondents to finalise that report as early as possible and thereafter pay the retirement dues to the applicant as per rules.

4. In view of the above, the application is disposed of at the stage of admission itself with the direction that within a period of four months from the date of




3.

communication of this order the respondents railway shall finalise the matter regarding alleged discrepancy in the stock verification in the years concerned, as mentioned in annexure 'D' and 'I' to the application, and thereafter, they shall disburse the retirement benefits to the applicant as per rules. We further direct the respondents to pay provisional pension to the applicant within a period of fifteen days from the date of communication of this order. We also direct that the applicant shall cooperate with the authorities in this regard. No order is passed as regards costs.



(D. Purakayastha)

MEMBER (J)



(B.C. Sarma)

MEMBER (A)