

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

O.A. No. 1230 of 1996

Present : Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman
Hon'ble Mr. M.S. Mukherjee, Administrative Member

Ajit Kumar Singh, s/o Late Mukhlal alias
Mukhlal Singh, residing at No.8, Belvedere
Road, Calcutta.

..... Applicant

-Vs-

1. The General Manager, Eastern Railway,
17, N.S. Road, Calcutta ;
2. The Divisional Railway Manager, Eastern
Railway, Howrah.
3. The Divisional Personnel Officer, Eastern
Railway, Howrah.
4. The Chief Inspector of Works, Eastern
Railway, Howrah.
5. The Divisional Accounts Officer, Eastern
Railway, Howrah.

.....

..... Respondents

Counsel for the applicant : Mr. N.K. Roy
Ms. Debjani Roy

Counsel for the respondents : Mr. P.K. Arora

Heard on : 30.5.1997 - Order on : 20.6.1997

O R D E R

A.K. Chatterjee, VC

The petitioner claims to be ^{the} adopted son of one Mukhlal Singh, who died in harness on 12.11.91 while working as a Khalasi in the office of the Chief Inspector of Works, Eastern Railway at Bally, Howrah. The deceased employee was survived by the petitioner and two married daughters and the petitioner obtained a succession certificate from a competent court to collect debts of

the deceased as noted therein and his sisters had also executed a deed of release relinquishing their interest in the estate of the father in favour of the petitioner. The petitioner made an application to the concerned authority with a copy of the succession certificate and other relevant documents for release and payment of settlement dues of the deceased employee. However, as no action was taken thereon, the instant application has been filed for appropriate relief.

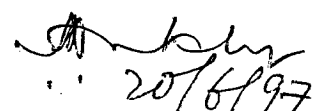
2. No reply has been filed on behalf of the respondents.

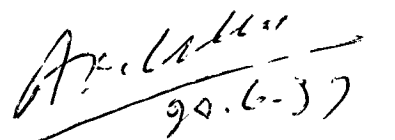
3. We have heard the ^{Ld.}Counsel for both the parties and perused the records before us.

4. When the application was filed on 7.10.96, an interim order was made directing the respondents to release ^{to the petitioner the amount of DCRG} within a period specified in the order subject to furnishing an Indemnity Bond. The ^{Ld.}counsel for both the parties have stated that the amount of DCRG has since been paid to the petitioner on a Bond in terms of the interim order referred to above. The ^{Ld.}Counsel for the petitioner has stated that what remains still outstanding and unpaid to the petitioner are the leave salary, PLB and interest for delayed release. As no reply has been filed by the respondents and as no satisfactory ground could be submitted even orally by the ^{Ld.}Counsel for the respondents, we are of the opinion and accordingly hold that the claim of the petitioner cannot be turned down.

5. We, therefore, dispose of the application with a direction upon the respondents to release and pay to the petitioner within eight weeks from the date of communication of this order all outstanding dues in terms of the succession certificate and also to pay interest to him @ 12% per annum from the expiry of two months from the date on which the succession certificate was produced till the date of actual payment.

6. No order is made as to costs.


(M.S. Mukherjee)
Member(A)


(A.K. Chatterjee)
Vice-Chairman