

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH  
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O.A. No. 539 of 1997.  
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Present : HON'BLE DR. B.C. SARMA, ADMINISTRATIVE MEMBER.

HON'BLE MR. D. PURKAYASTHA, JUDICIAL MEMBER.

Semai Hembrom,  
S/o- Late Phagu Hembrom,  
Station Manager, E. Rly,  
Nangi, resident of -  
Shyamnagar Rly. Qtr. No. T/35A,  
PO. Shyamnagar, PS. Jagatdal,  
Dist- 24 Pgs.(N).

... .. Applicant.

Vrs.

1. Union of India,  
service through the  
General Manager, E. Rly,  
Calcutta.
2. The Divl. Rly. Manager,  
E. Rly, Sealdah, Calcutta-14.
3. The Divl. Optg. Manager,  
E. Rly, Sealdah.
4. The Sr. Divl. Personnel Officer,  
E. Rly, Sealdah, Kaiser Street,  
Calcutta- 14.

... .. Respondents.

For applicant : Mr. B.K.P. Karan, Counsel.

For respondents : Mr. C. Samaddar, Counsel.

Heard on : 12.11.97.

Ordered on : 12.11.97.

O R D E R

B.C. Sarma, AM.

This application has been filed by the applicant with the prayer that a direction be issued on the respondents to give him all retirement benefits. The case has been opposed by the respondents by filing a reply, which we have perused. In the reply, the respondents have submitted that, by the order of the competent authority, the applicant was paid only P.F. money, G.P.F. money and as well as

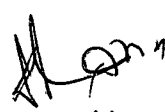
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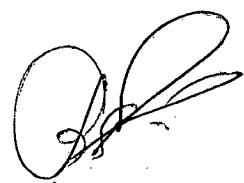


provisional pension since there was<sup>a</sup> departmental proceeding against him on the date of retirement.

2. When hearing of the matter was taken up today, Mr. Samaddar, ld. Counsel appearing for the respondents, produced before us the relevant file regarding disciplinary proceeding. We find that, by an Order dated 28.10.1997, the competent authority has ordered that the applicant is exonerated in the said disciplinary proceeding. Mr. Samaddar, therefore, submits that all the residual retiral benefits shall be paid to the applicant within a period of 3 months excepting the D.C.R.G.

3. In view of this position, the application is disposed of at the stage of admission hearing itself with the direction that, within a period of three (3) months from the date of communication of this order, the respondents shall disburse to the applicant all retirement benefits to which he is entitled to, except <sup>that</sup> this, which have been paid already. Mr. Karan Prays for Interest, which is rejected because the delay was on account of disciplinary proceeding. No order is passed as regards costs.

  
(D. Purkayastha )  
Member (J)

  
( B.C. Sarma )  
Member (A)