

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.455/2003.

Wednesday this the 4th day of June 2003.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

T.Bhaskaran, Kunnummel House,
Balussery P.O., Calicut District,
(retired as Senior S.E.(Sig) Maldah,
West Bengal. Applicant

(By Advocate Shri V.K.Balachandran)

Vs.

1. Union of India, represented by its
Secretary to Government of India,
Ministry of Railways, New Delhi.
2. Divisional Railway Manager,
Eastern Railway, Maldah, West Bengal.
3. Senior Divisional Personnel Officer,
Eastern Railway, Maldah, West Bengal.
4. Senior Section Engineer, Signal/Store,
Eastern Railway, Bharwadih,
Bihar. Respondents

(By Advocate Mrs. Rajeswari Krishnan)

The application having been heard on 4th June 2003,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.K.V.SACHIDANANDAN, MEMBER

The applicant joined the Railways on 13.11.1963 and retired on superannuation from service on 30.6.2002 from Maldah as Senior Section Engineer (Signal). It is contended that an amount of Rs.2,82,728/- is due to the applicant as D.C.R.G. The 3rd respondent is ~~not~~ the authority to disburse that amount and is not doing so. The reason that was stated by the 3rd respondent is that, he has received a communication from the 4th respondent that, while the applicant working as Signal Inspector, Grade I at Bharwadih, Bihar, during the year 1989, he had not returned some tools and plants. Therefore, D.C.R.G. benefits

are not disbursed to the applicant till date even after retirement. He submitted A-4 representation before the 3rd respondent. He has not received any response from the 3rd respondent and the DCRG benefits are not yet disbursed. The respondents have also not issued service certificate and complimentary pass for travel in train. Aggrieved by the inaction on the part of the respondents the applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act seeking the following reliefs.

- a) To direct the 3rd respondent to disburse the DCRG amount of Rs. 282728/- due to the applicant without any delay.
- b) To direct the 3rd respondent to issue service certificate and complementary pass to travel in train to the applicant;
- c) Grant such other reliefs as may be prayed for and this Hon'ble Tribunal may deem fit to grant;
- d) Grant the cost of this Original Application.

2. When the case came up for hearing, learned counsel for the applicant submitted that he will be satisfied if the representation (A-4) submitted by the applicant is disposed of by the 3rd respondent within a time frame and disburse Rs.2,00,000/- forthwith and keeping the rest of the money for settlement of accounts on outstanding dues if any. According to the applicant the outstanding dues in any case do not exceed Rs.25,000/-.

3. Learned counsel for the respondents submitted that he has no objection in disposing of the O.A by giving such a direction to the respondents. Considering the facts and circumstances and in the interest of justice, this Court is of the view that in the event of disposing of the representation by the 3rd respondent within a time frame, that will meet the ends of justice.

4. Therefore, this Court directs the 3rd respondent to dispose of A-4 representation in consonance with A-5 notice and

to disburse a sum of Rs.2,00,000/- forthwith to the applicant and the rest of the amount may be kept for settlement of accounts on outstanding dues, if any, till the finalisation of the assessment of value of tools and plants. This direction is given to the 3rd respondent considering the fact that the applicant has met with an accident and he is in urgent need of money to meet the expenses for his daughter's marriage.

5. Therefore, the 3rd respondent is directed to dispose of the representation and disburse the amount as aforesaid within three months and also direct the respondents to release the service certificate and eligible complementary pass to the applicant within three months from the date of receipt of a copy of this order.

6. However, the applicant being a pensioner, is in a very difficult situation, the Registry is directed to send a copy of this order to the Secretary, Railway Board, New Delhi to have a close follow up action in the matter and report compliance to this Court after three months.

7. It is made clear that the 3rd respondent will comply the above directions within three months from the date of receipt of the copy of this order and finalise the entire matter once for all as expeditiously as possible.

8. O.A. is disposed of as above. In the circumstances, no order as to costs.

Dated the 4th June 2003.



K.V.SACHIDANANDAN
JUDICIAL MEMBER