

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.574/2003.

Tuesday this the 17th day of February 2004.

CORAM:

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

A.G.Rajasekharan Nair,
Ex-MT Supervisor,
Kanaganki Nilayam, South Chittoor (P.O.),
Kochi-682 027. Applicant

(By Advocate Shri. Manu Mohan)

vs.

1. The Flag Officer Commanding-in-Chief,
Southern Naval Command,
Cochin-682 004.
2. Logistics Officer,
INS Venduruthy,
Kochi-682 004.
3. Union of India represented by the
Secretary to Government,
Ministry of Defence, New Delhi.
4. Union Bank of India, represented by
its Manager, Union Bank Bhavan,
M.G.Road, Ernakulam. Respondents.

(By Advocate Mr. C.Rajendran, SCGSC(R1-3)

The application having been heard on 17th February 2004, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. KV. SACHIDANANDAN, JUDICIAL MEMBER

When the case came up for hearing none appeared for both sides. An observation of this Tribunal on 30.1.2004 i.e. the last hearing date was that ;

"Learned counsel has produced a copy of the receipt corroborating refund of Rs.3,993/- which was recovered from the applicant's gratuity and would state that in view of this the grievance of the applicant is redressed and the O.A. has become infructuous. Learned counsel for the applicant submits that he has not received any instruction from his client in that regard and further time of one week is required to verify whether the grievance of the applicant stands fully redressed or not.

Respondents are directed to file a statement explaining whether the applicant's grievance has been fully redressed or if not what is the remaining area of dispute. Two weeks' time is granted for filing the statement."

2. No statement filed by the respondents so far. The document produced by the respondents is quoted as follows:

RECEIPT

Received from the Commanding Officer, INS, Venduruthy a sum of Rs.3.993/- (Rupees Three thousand nine hundred and ninety three only) towards refund of LTC amount given to me for the block year 2002-2005 recovered from my Gratuity through PDO.

Sd/-
(AG Rajasekharan Nair)
MT Supervisor (Retd)

INS Venduruthy
Kochi-4

21 Jan 2004.

COUNTERSIGNED

(N S Mohan Thomas)
Commander
Logistics Officer

3. Considering the above facts, I am of the view that the relief sought for by the applicant has been substantially granted, there is no reason to keep the O.A. pending. Therefore the O.A. is dismissed. In the circumstance no order as to costs.

4. However it is made clear that if the applicant is aggrieved in any manner, he is at liberty to take up the matter with the appropriate forum.

17th February, 2004.


K.V. SACHIDANANDAN
JUDICIAL MEMBER

rv