

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.270/2001

Wednesday this the 11th day of April, 2001

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

1. K.Rajendran Nair, aged 38,  
Peon (Under suspension)  
Office of the Divisional Railway Manager,  
(General Branch Thycaud  
Thiruvananthapuram)  
residing at 134 D, Railway Quarters,  
Thampanoor,  
Thiruvananthapuram.
2. N.Vijayakumaran Nair, aged 50,  
  
S/o Neelakandan Nair,  
Chief Commercial Inspector,  
Divisional Office, Commercial Branch,  
Southern Railway,  
Thiruvananthapuram,  
residing at Prayagh, Valiyavila Junction,  
Thirumala, Thiruvananthapuram. ..Applicants

(By Advocate Mr. Sasidharan Chempazhanthiyil (rep)

1. Senior Divisional Personnel Officer,  
Southern Railway, Thiruvananthapuram.
2. Senior Divisional Commercial Manager,  
Southern Railway, Thiruvananthapuram.
3. Divisional General Manager,  
Thiruvananthapuram Division,  
Thiruvananthapuram.
4. Southern Railway represented by  
its Chief General Manager,  
Chennai.
5. Union of India, represented by  
the Secretary,  
Ministry of Railway,  
New Delhi. ...Respondents

(By Advocate Mrs. Sumati Dandapani)

The application having been heard on 11.4.2001, the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

Applicants two in number who are under suspension  
pending trial in a criminal offence have filed this  
application seeking revocation of suspension and for  
a direction for disbursement of subsistence allowance from  
contd....

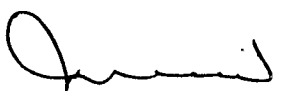
✓

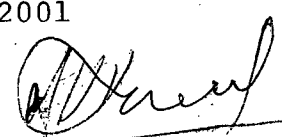
September, 2000 onwards on the ground that they have not received subsistence allowance from that month onwards.

2. Learned counsel for respondents Smt. Sumati Dandapani under instructions from the respondents states that the subsistence allowance from September, 2000 onwards was not disbursed to the applicants because they did not furnish non-employment certificates. Learned counsel for the applicants today submits that the applicants have furnish<sup>-ed</sup> non-employment certificates. Counsel also states that the application may be disposed of directing the respondents to disburse the arrears of subsistence allowance and to continue to pay subsistence allowance without going into the other details, on acceptance of the non-employment certificates. Learned counsel for the respondents have no objection in disposing of the application with a direction to the respondents that on production of non-employment certificates by the applicants the subsistence allowance due to the applicants<sup>should be</sup> drawn and disbursed. ✓

3. In the result, in the light of the submission of the learned counsel on either side, the application is disposed of directing the respondents to disburse the arrears of subsistence allowance and also to continue to pay subsistence allowance to the applicants on their production of non-employment certificates without further delay. We have not gone into the merits of other reliefs prayed for in the application. No costs.

Dated the 11th day of April, 2001

  
T.N.T. NAYAR  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

(s)/114.