

**CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH**

Original Application No.378/2006  
This the 29<sup>th</sup> day of August 2006

**HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.**

P.K. Chakraborty, aged about 56 years, son of Late Shri D.N. Chakraborty, resident of Ashirvad-570/94/1, V.I.P. Road, Virat Nagar, Alambagh, Lucknow.

...Applicant.

By Advocate: Shri Praveen Kumar.

**Versus.**

Union of India through

1. The Chairman, Railway Claims Tribunal, New Delhi.
2. The Member (Judicial) Railway Claims Tribunal, Lucknow.
3. The Assistant Registrar, Railway Claims Tribunal, Lucknow.
4. Chief Works Manager, Northern Raiway, Mechanical Workshop, Amritsar.

By Advocate: Shri N.K. Agrawal.

**ORDER (Oral)**

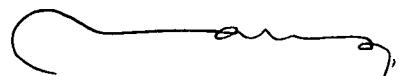
**BY HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.**

Heard Shri Praveen Kumar, the learned counsel for the applicant and Shri N.K. Agrawal, the learned counsel for respondents.

2. It is the case of the applicant that he has been repatriated to his parent department by an order covered under Annexure -A-1 dated 20.07.2006 issued by 1st Respondent asking him to hand-over the charge to Shri Arvind Gupta, OS-II/RCT/LKO and inspite of his request the Incharge is not taking charge from him on one or other ground and as such he is not relieved to join his parent department.

3. The Learned counsel for the respondents stated that at no point of time the applicant hand-over the charge to the concerned officer and thus, opposed the contentions of the applicant. Whereas the applicant is prepared to hand-over the charge for joining his parent department, it is the duty of the Incharge officer to take charge from the applicant and issue relieving order and the respondents are at liberty to take separate action against the applicant for any missing items in handing-over the charge. Three days time is granted to the applicant to hand-over the charge to Shri Arvind Gupta, OS-II/RCT/LKO / Shri M.N. Misra and also directing 2<sup>nd</sup> Respondent to issue relieving order, enabling the applicant to join his parent department and all other formalities like LPC etc. are also sent to his parent department. The applicant is entitled to claim his salary from his parent department from the date of his relieving and till then from the 2<sup>nd</sup> Respondent as per rules.

4. In view of these directions the application is disposed of. No order as to costs.

  
(M. KANTHAIAH)  
MEMBER (J)

7.8.06

Ak/.