

Central Administrative Tribunal, Lucknow Bench,

Lucknow

Original Application No. 128/2010

This the 31st March, 2010

Hon'ble Dr. A.K. Mishra, Member(A)

R.N. Ojha aged about 61 years S/o Late Sri Ram Avadh Ojha Resident of 220 Beer Bahadur Puram Post Kunraghan. Distt. Gorakhpur at present residing as C/o Santosh Kumar Dwidi Lucknow Jal Sansthan Campus Balaganj, Lucknow.

.....Applicant

By Advocate: Sri Ratnesh Lal.

Versus

1. Union of India through the General Manager North Eastern Railway, Gorakhpur.
2. Divisional Railway Manager North Eastern Railways 7-A Ashok Marg, Lucknow.
3. Divisional Personnel Officer, North Eastern Railways 7-A Ashok Marg, Lucknow.

.....Respondents

By Advocate: Sri B.B. Tripathi for Shri N.K. Agrawal.

ORDER (ORAL)

Heard the learned counsel for the parties.

2. This is an application relating to withholding of DCRG amount due to the applicant, who has retired from railway service on 31.03.2006. The impugned order at Anneure-7 states that this amount has been withheld on a temporary basis and will be paid, if after examination, it is found that no dues are payable by the applicant. Even inspite of lapse of more than four years no action has been taken by the competent authority to release the withheld amount.



Therefore, it is his claim that the withheld amount should be paid with interest as may be applicable.

3. The learned counsel draws my attention to the representation of the applicant dated 18.02.2007 for releasing of DCRG amount alongwith interest @ 18% per annum but no decision has been taken on his representation. According to him, the grievance of the applicant will be redressed if the competent authority passes an order on merits on his pending representation as well as on the submissions made by him in this OA treating it to be an additional representation.

4. The applicant is directed to file another comprehensive representation taking whatever grounds he deems fit in support of his claim for release of DCRG amount with interest before the competent authority alongwith a copy of this OA alongwith its enclosures. The competent authority is directed to dispose of the comprehensive representation and the additional representation of the applicant on merits according to law within a period of three months from the date the comprehensive representation/additional representation is filed before him. If the claim with interest is due it should be released forthwith. Interest should be simple in nature at prevailing GPF rates payable as per rules

5. The OA is accordingly disposed of. No costs.

Ally 25
(Dr. A.K. Mishra)
Member-A