

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH: PATNA

Registration No.OA-62 of 1996

(Date of decision 1.2.1996)

Awadhesh Kumar Sinha Applicant

Versus

The Union of India & Others Respondents

Coram: Hon'ble Mr. K.D.Saha, Member (A)

Counsel for the applicant Mr. Mahesh Narayan Parbat

Counsel for the respondents


Hon'ble Mr. K.D.Saha, Member (A)

Heard learned counsel for the applicant. The applicant, Shri Awadhesh Kumar Sinha retired from the Railways on superannuation on 31.7.1993 from the post of Head Clerk (Establishment) in the office of Assistant Engineer, North Eastern Railway, Chapra. By this application he prays for issue of direction to the respondents for arranging payment to him his gratuity amounting to Rs.29,7000/-, Leave encashment Rs.27,648/-, his salary for the month of July, 1993 Rs.3,546/- along with arrears of special pay @ Rs.70/- per month from 5.8.1988 to 3.4.89 coming to Rs.630/-, pension commutation amount of Rs.720/- which has been held back, and his PF subscription recovered from his pay of July, 1993 amounting to Rs.350/-. He has also prayed for interest @ 18% from the date of retirement till the date of payment.

2. The learned counsel for the applicant submits that the applicant submitted a representation to the General Manager, N.E.Railway, Gorakhpur on 23.8.1994 with regard to his grievance for non-payment of his settlement dues but no reply has yet been received by him so far nor the amounts due have been paid to him. Further submission of the learned counsel for the applicant is that the applicant vacated the Railway quarter which was allotted to him on 17.7.1993 with all fittings and nothing is due from him on this account. No disciplinary action has also been initiated against him and the amounts are being held back only to harass him.

3. After going through the averments and considering the submission, I am of the view that this application can be disposed of at the admission stage itself by a direction to the General Manager, North Eastern Railway, Gorakhpur (Respondent No.2) to look into the matter and dispose of the above said representation of the applicant by a reasoned and speaking order. Accordingly, I hereby direct Respondent No.2, General Manager, North Eastern Railway, Gorakhpur to consider the representation of the applicant dated 23.8.1994, as aforesaid, in accordance with law ~~(Annexure-1/2)~~ ^{2 (Annexure-A/2)} and dispose it of by a reasoned and speaking order within a period of three months from the date of communication of this order. In case the applicant is entitled to the settlement benefits, as referred to hereinabove, payment of the same should be arranged expeditiously along with interest thereon as admissible under the rules. In case the applicant is not satisfied with the decision of the respondents, he is at liberty to approach the Tribunal.

4. With the directions as above the application is disposed of.


(K.D. Saha), 2.96
Member(A)