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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW
.....

T.A. No. 155/92 (TL)

IN

O.A. No. 181/88

this the 19 day of August, 1994

HON'BLE MR. D.C. VERMA, JUDICIAL MEMBER

Rajjan Lal S/o Sri Ram Kripal Shukla, R/o Village
and post- Pariyaman, Distt. Pratapgarh.

Applicant

By Advocate : None

Versus

Union of India through its Secretary, Ministry of
Railway, New Delhi.

2. General Manager, Northern Railway, Baroda House,
New Delhi.

3. Divisional Railway Manager, Northern Railway,
Nazratganj, Lucknow.

Respondents

By Advocate : None

ORDER (ORAL)

VERMA, MEMBER (J)

The applicant Rajjan Lal was a Railway
employee and he has claimed Bonus amounting to Rs.
Rs. 2100/- for the year 1982-83, 1983-84 & 1984-85, though

The applicant admits that Bonus has been paid to
him for the year 1985-86. The applicant has further
claimed that as per forth pay Commission report he

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was entitled to receive Rs. 30/- per month Quarter Allowance w.e.f. 1.1.1986 to 30.4.1987 total amounting to Rs. 500/- . It is mentioned that though the respondent No. 3 are paying the Quarter Allowance to the applicant since ~~of May~~ May, 1987, the same has not been paid for the period 1.1.1986 to 30.4.1987 , and He has further claimed that he is entitled to receive Rs. 5083 as Medical Reimbursement for the year 1983 to 1986 in accordance with the Railway rules and laws, as per details given in Annexure-4 to the O.A.

2. As the respondents did not ^{pay} the amounts in respect of the ^{claim} ~~representation~~ the applicant has filed this O.A. The O.A. was filed before Allahabad Bench of the Tribunal as a claim petition No. 181/88 and on transfer the same has been registered at Lucknow Bench of the Tribunal as T.A. No. 155/92.

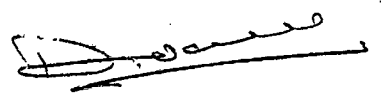
3. On behalf of the respondents C.A. has been filed to the effect that the applicant did not perform duty during the period 1.1.1986 to 30.4.1987 and as per instructions rules the House Rent Allowance is not permissible to the applicant. It has been alleged that the applicant is not entitled for Bonus for the period 1982-83, 1983-84 & 1984-85 since the applicant did not perform the duty during the said period and that P.L. Bonus is always paid to the employees who performed the regular duties, ^{House rent allowance is not payable} ~~as the same is calculated, it is on the same ground as per relevant Rules performed by the applicant and~~ Regarding Medical Reimbursement claim it has been stated in Counter reply that since the medical facilities are made available in the

Railway department, Reimbursement of the same is not permissible, if, at his own ~~of~~ the applicant failed to take facility of Railway Medical Officer or dispensary.

It has also been ^{mentioned} ~~submitted~~ that the applicant did not submit any representation to the department for the claim made in this O.A. Hence, ~~this~~ present case is pre matured and it is also now time barred.

4. In this case none appeared on behalf of the applicant and also on behalf of respondents, so I have to go through the file and papers on record.

5. The first thing is that as no representation against pending claim has been made by the applicant to the department. The O.A. is Pre-mature and ^{as} ~~the~~ applicant has not exhausted the departmental remedy, The O.A. is not maintainable on this preliminary ground it-self. The O.A. is dismissed as not maintainable.



MEMBER (J)

LUCKNOW: DATED: 19.3.94

GIRISH/-