

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAIBENCH, MUMBAI.

ORIGINAL APPLICATION NO: 134/2001

TUESDAY the 23rd OCTOBER 2001.

CORAM: Hon'ble Shri Justice B.N. Singh Neelam, Vice Chairman

Dinkar Lahu Mane  
Residing at Bapu Piraji  
Kamble Chawl No.1,  
Room No.4, Pratapnagar  
Bhandup, Mumbai.

...Applicant.

V/s

Union of India through  
Material Superintendent  
Material Organisation (SH-1)  
Indian Navy, Ghatkopar Deoit,  
Mumbai.

...Respondents.

By Advocate Shri K.R. Yelwe for Shri V.S. Masurkar

ORDER (ORAL)

{Per B.N. Singh Neelam, Vice Chairman}

No-one appeared for the applicant. Shri K.R. Yelwe for Shri V.S. Masurkar appeared on behalf of the respondents. By looking into the previous order sheet it transpires that the applicant was absent on several occasions.

2. This OA is filed by the applicant seeking relief as to direct the respondents to pay Rs. 25,985/- towards Gratuity, Leave Pay, arrears etc. as detailed in the application.

3. The matter on admission was heard on 30.3.2001. Notices were issued and even written statement was filed on behalf of the respondents. Today the learned counsel for the respondents submitted photocopy of letter issued by the Branch Manager, Bhandup Branch of the Bank of Maharashtra addressed to the

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Establishment Officer, which is kept on record and will remain as part of the record which <sup>now</sup> ~~reads~~ that payment of retirement gratuity was so paid to the tune of Rs. 21,735/- and credited to the applicants account No. 500511. On behalf of the respondents by referring to para 8 of their written statement, it is further pointed out that on account of encashment of unutilised <sup>4</sup> ~~leave~~ <sup>4</sup> ~~leave~~ <sup>4</sup> ~~Connec<sup>4</sup>tion~~ leave, the applicant has already <sup>4</sup> ~~been~~ paid Rs.3597/- and in this <sup>4</sup> ~~pointed out~~ attention is also drawn to Exhibit R -9 placed at page 31 of the of the record. That way, on behalf of the respondents it is that the matter is settled between the employer and the employee and payment of Rs. 25,332/- (Rs.21,735/- + Rs.3597/-) has already been <sup>4</sup> ~~made~~ and since the payment has been made, in that light, the relief sought <sup>4</sup> ~~is~~ given, as such, this OA can rather be dismissed.

4. After hearing the learned counsel for the respondents and perusing the documents and circumstances detailed above, it is clear as to why the applicant is not appearing and had not appeared on last occasion which was apparent by going through the order sheet and as submitted that the relief/reliefs sought for has already granted to the applicant, thus the OA so filed stands dismissed. No order as to costs.

5. This also naturally disposes of the MP so filed for condonation of delay.

  
(B.N. Singh Neelam)  
Vice Chairman

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