

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.646/2001

Thursday, this the 24th day of January, 2002.

Coram: Hon'ble Shri Justice Birendra Dikshit, Vice-Chairman,
Hon'ble Smt. Shanta Shastry, Member (A).

V.T.Karandikar,
Block No.4, Rushab Darshan,
Bhoir Nagar,
Vidhyalaya Marg,
Mulund (E),
Mumbai - 400 081.
(By Advocate Mr.R.G.Walia)

...Applicant.

V.

1. Union of India through
General Manager,
Central Railway,
CST,
Mumbai - 400 001.

2. Chief Works Manager,
Central Railway Workshop,
Matunga,
Mumbai - 400 019.

...Respondents.

(By Advocate Shri V.S.Masurkar)

: ORDER (ORAL) :

Smt. Shanta Shastry, Member (A)

The applicant in this case was removed from service w.e.f. 12.2.2000. After the removal order had become final, the applicant has prayed for Post Retirement Complimentary Passes as permissible under the Rules to self and his family members. As the same was denied to him, he has approached this Tribunal. The learned Counsel for the applicant has drawn our attention to a Judgment of this Tribunal in OA No. 465/1998 wherein an identical question was raised on admissibility of Post Retirement Complimentary Passes on removal from service. The Tribunal held in the Judgment that the applicant therein was entitled to Post Retirement Complimentary Passes after

...2.

discussing at length the provisions in the Railway Servants (Pass) Rules, 1986, as well as, the Indian Railway Establishment Manual. The Tribunal had also relied on a Judgment in another OA (viz. OA No. 636/1989) decided by this very Mumbai Bench of the Tribunal on 20.11.1989.

2. Though the Respondents have opposed the prayer of the applicant, the Learned Counsel for the Respondents now brings it to our notice that the applicant had preferred a Revision Petition on 17.11.2000 under Rule 24 (2) of Railway Servants (Discipline & Appeal) Rules, 1968 and the same was decided by General Manager, the Revising Authority, who has now reduced the penalty of removal to that of Compulsory Retirement. The applicant has been advised accordingly on 22.1.2002 and the same has been acknowledged on 23.1.2002. In the light of this, the applicant becomes eligible for the Post Retirement Complimentary Passes and thus the application has become infructuous. The applicant prays that some time limit may be set out for issue of Post Retirement Complimentary Passes, as he has already applied for the same. Learned Counsel for the Respondents submits that the applicant has to make a fresh application. The applicant may do so and we hope that the Respondents shall deal with the same expeditiously as is being dealt with in respect of other Railway Servants.

3. In view of the above position, nothing survives in the OA, accordingly, the OA is disposed of as being infructuous. No costs.

Shanta P.

(SHANTA SHASTRY)
MEMBER(A)

B. Dikshit

(BIRENDRA DIKSHIT)
VICE-CHAIRMAN

B.