

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH: BANGALORE

DATED THIS THE 15TH DAY OF DECEMBER, 1986.

PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy,

.. Vice-Chairman.

And

Hon'ble Mr. L.H.A. Rego,

.. Member (A).

APPLICATION NUMBER 1875 OF 1986.

WRIT PETITION NO. 10843/1985.

H.S. Shivaswamy,
son of Madaiah, Major,
Retired Manager,
Southern Railways, Bangalore,
resident of D.No. 2048,
East End, 'B' Main Road, 9th
Block, Jayanagar, Bangalore-69.

.. Applicant.

(By Sri H. Subramanya Jois, Advocate absent)

v.

1. The Union of India represented
by its Secretary, Ministry of
Railways, New Delhi-1.
2. The Railway Board, New Delhi,
represented by its Chairman.
3. The Chief Personnel Officer,
Southern Railways, Head Quarters
Officer, Personnel Branch,
Madras-3.
4. The Finance Adviser and Chief
Accounts Officer, Southern Railways,
Park Town, Madras-3.

.. Respondents.

(By Sri A.N. Venugopal, Advocate).

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In this transferred application received from the High Court of Karnataka under Section 29 of the Administrative Tribunals Act, 1985 ('the Act'), the applicant has sought for a direction to the respondents to settle the pensionary benefits to which he is entitled to in pursuance of the order of retirement made by the Chief Personnel Officer ('CPO') in officer Order No. P(G)534/II/SS dated 16-8-1984 (Annexure-L).

2. The

2. The applicant was working as an Engineer in the Indian Railways owned by the Union of India. He sought for voluntary retirement from 8-8-1984 in terms of the provisions made under the Railway Establishment Code, which was permitted by the CPO from that very date (Annexure-L). But, even after permitting the applicant to retire from service from 8-8-1984, the respondents did not settle the pensionary benefits due to him under the Rules. Hence, the application.

3. Sri A.N.Venugopal, learned counsel for the respondents has placed before us the relevant records, which show that the pension and other terminal benefits due to the applicant have been settled by the authorities. We are satisfied that all the claims of the applicant have been settled by the respondents. In this view, the grievance of the applicant no longer survives for consideration. We, therefore, dismiss this application as having become infructuous. But, in the circumstances, we direct the parties to bear their own costs.

M. P. Prasad
VICE-CHAIRMAN
15/12/86

[Signature]
MEMBER(A)
15/12/86

dms/np.