

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Dated: 21 JAN 1994

APPLICATION NO(s) 846 of 1993.

APPLICANTS: Smt. Mahamunnisa v/s. RESPONDENTS: Sr. Divisional Mechanical Engineer, S.C. Railway, Hubli & Other.

TO.

1. Sri.S.P.Kulkarni,
Advocate, No.2593,
Upstairs, E-Block,
11th Main, II Stage,
Rajajinagar,
Bangalore-10.
2. Sri.A.N.Venugopala Gowda,
Advocate, No.8/2, Upstairs,
R.V.Road, Opp: Bangalore Hospital,
Bangalore-4.
3. The Assistant Personnel Officer,
Divisional Office, South Central Railway,
Hubli.

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.

-xxx-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 09-12-1993.

Se Smar 21/1/94
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

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of
Issued
GM

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE.

APPLICATION NUMBER 846 OF 1993

DATED THIS THE 9TH DAY OF DECEMBER, 1993.

Mr. Justice P.K. Shyamsundar, .. Vice-Chairman.

Smt. Mahamunnisa,
W/o late Mohammad Hanif Mukkeri,
Aged about 55 years,
Boiler Maker (HSK-I) Loco Shed,
S.C. Railway, Hubli,
Residing at Bhandiwad Base,
Hakandar Galli, Hubli-580 020.

.. Applicant.

(By Advocate Sri S.P. Kulkarni)

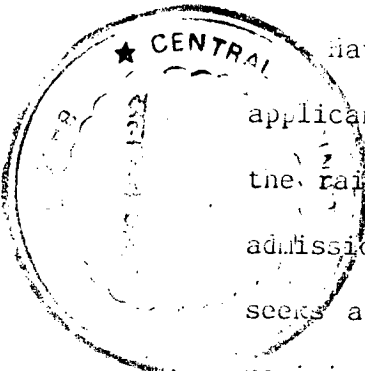
v.

1. The Senior Divisional
Mechanical Engineer,
South Central Railway, Hubli.
2. The Assistant Personal Officer,
Divisional Office,
South Central Railway,
Hubli.
3. The General Manager,
South Central Railway,
Secunderabad.

.. Respondents.

(By Standing Counsel Shri A.N. Venugopal)

ORDER

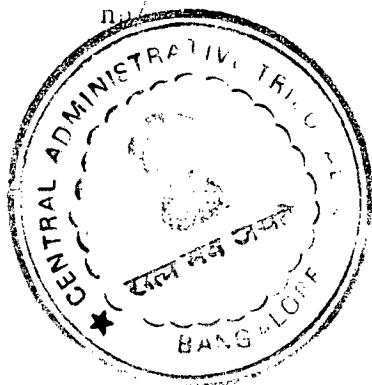


Having heard Shri S.P. Kulkarni, learned counsel for the applicant and Shri A.N. Venugopal, learned Standing Counsel for the railways I propose to dispose off this application at the admission stage itself. Herein there are two prayers - one seeks a direction to the respondents to dispose off a pending revision petition and the other is to direct payment of any outstanding dues like the Provident Fund, Gratuity, DCRG etc. etc. credited to the account of Mohammad Hanif since deceased may be ordered to be paid to the applicant without any loss of time.

2. Subsequent to this application, the applicant gave up the prayer seeking a direction to dispose off the appeal stated to have been submitted by the deceased himself. That probably is due to the fact the appeal had been disposed off during the life time of the deceased employee himself and a review or revision petition having been filed, I am now told that there is no information touching its fate. I am not concerned with the subsequent development beyond the level of the Appellate Authority. Apart from the fact the appeal appears to have been disposed off as could be seen from the order produced at Annexure-A3, seeking a further direction to dispose off the same would have been clearly superfluous. That probably is the reason why the applicant sought leave to give up that relief. Now what remains for consideration is only regarding payment of retiral benefits to the deceased employee who, it appears, was removed from service on grounds of some misconduct after due enquiry and an order made at Annexure-A1 dated 4-6-1984 from which an appeal was filed which was also disposed off as per Annexure-A3 confirming the findings of the Disciplinary Authority and affirming the penalty imposed. Now all those are events of the past and they are not in issue in this proceeding. The applicant who is the widow of the deceased employee wants that whatever is due to her husband towards retiral benefits like pension, DCRG etc. etc. should be paid to her and there should be a direction to pay her those amounts immediately. Mr. Venugopala Gowda submits that the department will do that, in that the department will now conduct the exercise of ascertaining if any still due to the deceased employee towards retiral benefits and will ensure prompt payment of the same to the widow. I place on record counsel's statement as aforesaid and dispose off this application directing respondent-2 - Assistant Person-

nel Officer, South Central Railway, Hubli - to ascertain, compute and quantify all retiral benefits that will be still due to the deceased employee and pay the same to the applicant within 3 months from the date of receipt of a copy of this order. No costs.

Sd-
[Signature]
VICE-CHAIRMAN.



TRUE COPY

Se Snacker
SECTION OFFICER 21/1/94
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

B-670

Copy to OA 846/93

Smt. Meharummissa, Vh. The Sec. Dir. Mech. Eng. Sc. Railways
CP NO 23/95 in OA 846/93 Hubli

Date	Office Notes	Orders of Tribunal
		<p><u>PKS(VC)/TVR(MA)</u> 27.4.95</p> <p>Called. Applicant and his counsel absent. Shri A.N.Venugopal Gowda for the Railway administration present. We have heard him. He says, that the requisite compliance with the directions of the Tribunal has been made and no contempt is committed. We record his statement and drop this contempt proceedings and discharge the alleged contempters.</p>

Sd-

Sd-

MEMBER (A)

VICE CHAIRMAN

TRUE COPY


26/5/95
Section Officer

Central Administrative Tribunal
Bangalore Bench
Bangalore