

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 26 MAY 1994

APPLICATION NUMBER: 943 of 1993.

APPLICANTS:

Sri.K.Gururaja Rao v/s. Chairman, Railway Board, and others.
To.

1. Sri.K.V.Shamanna, Advocate,
No.1465,14th Main Road,
West of Chord Road,
Mahalakshmpuram, Bangalore-86.
2. The Chief Workshop Manager,
Southern Railway, Mysore South,
Mysore.
3. Sri.A.N.Venugopala Gwoda, Advocate,
No.8/2,Upstair,R.V.Road, Bangalore-4.

Subject:- Forwarding of copies of the Orders passed by the
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above
mentioned application(s) on 18-05-1994.

S. Shamanna
for DEPUTY REGISTRAR 30/5
JUDICIAL BRANCHES.

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*of
Issued*

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CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.943/1993

WEDNESDAY THIS THE EIGHTEENTH DAY OF MAY, 1994

MR. JUSTICE P.K. SHYAMSUNDAR VICE CHAIRMAN

MR. V. RAMAKRISHNAN MEMBER (A)

K. Gururaja Rao
(Retd SS/Progress),
D.O. No.887, 1st Floor,
25th Main Road,
Srinagar,
Bangalore - 560 050

Applicant

(By Advocate Shri K.V. Shamanna)

v.

1. The Chairman, Railway Board,
(Ministry of Railways),
Rail Bhavan, New Delhi

2. The General Manager,
Southern Railway
Park Town,
Madras - 600 003

3. The Chief Personnel Officer,
Southern Railway,
Park Town,
Madras - 600 003

4. The Dy. Chief Mechanical Engineer/
Chief Workshop Manager,
Southern Railway,
Mysore South,
Mysore

Respondents

(By learned Standing Counsel for Railways)
Shri A.N. Venugopal

ORDER

MR. JUSTICE P.K. SHYAMSUNDAR, VICE CHAIRMAN

Heard both sides.

2. Admit.



3. The Office Memorandum of the Railway Administration produced at Annexure A-5 and impugned herein relating to denial of some benefits to the applicant, who is a retired official, has since been quashed by the Madras Bench of this Tribunal in C.A.No.210/92 and connected cases disposed of on 27.12.93. We are told by the learned Standing Counsel for the Railways Shri A.N. Venugopal that the Railway Administration has now reconciled itself to the quashing of the impugned order at Annexure A-5 which was done earlier by the Madras Bench and has also issued a communication, copy of which is produced at Annexure R-1, in which directions have been issued to make available to all the employees of the Southern Railways the amount of over payment/amounts withheld if any within the prescribed time. We place on record the communication of the Railway Administration ~~before~~ and in lieu of the same make an order directing the Railway Administration to extend the same benefit to the applicant as well. Now that Annexure A-5 has already been quashed by the Madras Bench and is no longer in currency, we do not think it necessary to quash the same. The needful to be done by the Administration within one month from the date of receipt of a copy of this order. The repatriated amount which will now be refunded in terms of this order passed on the basis of the order made by the Madras Bench will be reckoned for the purpose of computation of pension and other benefits. Learned counsel for the applicant asks

for costs of this application and also interest on account of belated payment. We grant neither. The application stands finally disposed of as aforesaid with no order as to costs.

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Sd-

Sd-

(V. RAMAKRISHNAN)
MEMBER (A)

(P.K. SHYAMSUNDAR)
VICE CHAIRMAN

TRUE COPY



S. Shankar
SECTION OFFICER 30/5
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE