Original Application No. 46/97

Thursday   the   10th day of July 1997

CORAM: Hon'ble Shri B.S. Hegde, Member (J)

Irshad Sultan
Chargeman 'B'
Under ES(A/C) Bombay VT.,
D.R.M./Central Railway
Mumbai
Residing at 3rd floor
Mattur Ashish, RoomNo.13,
Bombay -Pune Road, Mumbra
Dist. Thane.   ... Applicant.

By Advocate Shri K.B.Talreja.

V/s.

The Union of India through
the General Manager,
Central Railway, Mumbai, CST,
Mumbai.

The Divisional Railway Manager,
Central Railway, Mumbai, CST.,
Mumbai.   ... Respondents.

By Advocate Shri P.G. Zare.

O R D E R (ORAL)
(Per Shri B.S. Hegde, Member(J))

The applicant has retired from service
from 31.7.96. Prior to his retirement the applicant has
O.A. 1451/95 for change of date of birth which was
dismissed on 30.4.96. The contention of the applicant
is that he has been paid GPF, Insurance, HRA and
wages amounting to Rs. 47,136/- on 31.7.96. The respondents
have not paid the commutation, DCRG, Leave salary,
pension pay order till January 1997. There is
considerable dealy in making the payment though the
applicant has signed the papers.

The learned counsel for the respondents
Shri Zare draws my attention that the applicant has
signed the papers only on 29.4.97 . Thereafter the
papers forwarded to D.R.M. concerned on 30.4.97.

Thereafter forwarded to Accounts Officer on 13.5.97.
Pension order was passed on 20.5.97. Commutation,
D.C.R.G. and leave salary has been passed on 3.6.97.
Therefore there is no delay in making the payment
to the applicant.

The prayer made in O.A. is that retiral
benefits has not been paid to the applicant till
date and he should be paid 18% interest. However
after hearing the rival contention of the parties,
I am of the view that there is no deleberate intention
of the respondents in delaying the payment and the
applicant has singned the papers only on 29.4.97.
There is no merit in the O.A. Accordingly O.A. is
dismissed at the admission stage itself.

(B.S. Hegde)
Member(J)

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