

(70)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.665 of 1992

DATE OF JUDGMENT: 23rd February 1993

BETWEEN:

Mr. Abdul Wahab

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Applicant

AND

1. Union of India represented by  
The General Manager,  
South Eastern Railway,  
Calcutta-700043.
2. The Chairman,  
Railway Board,  
through the Secretary,  
Railway Board,  
New Delhi-110001.
3. The Divisional Railway Manager,  
S.E.Railway,  
Visakhapatnam-530004.
4. The Divisional Personnel Officer,  
S.E.Railway,  
Wailtair,  
Visakhapatnam-530004.

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Respondents

COUNSEL FOR THE APPLICANT: Mr. G.Ramachandra Rao

COUNSEL FOR THE RESPONDENTS: Mr. N.R.Devaraj, SC for Rlys.

CORAM: Hon'ble Shri R.Balasubramanian, Member (Admn.)

Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)

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JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE  
SHRI R.BALASUBRAMANIAN, MEMBER (ADMINISTRATION)

Shri Sitarama Swamy for the applicant and  
Shri N.R.Devaraj, for the respondents are present and  
were heard.

2. This application is filed by Shri Abdul Wahab with a prayer to direct the respondents to grant the complimentary passes for the year 1992 onwards and also to strike down the provisions of the Railway Board letter dated 28.4.1992. The brief facts of the case are that, the applicant was due to retire according to the records on 31.5.1985. By virtue of the interim orders passed by the Calcutta High Court, the applicant continued till 30.11.1987 and was retired finally based on the dismissal of his application by the Calcutta Bench of this Tribunal on the Transferred application. The applicant, however, continued to occupy the quarter and vacated it finally only on 1.10.1989. Hence, in accordance with the Pass Rules, the Railway administration has withheld his passes. It is this action of the Railways that has ~~xxx~~ driven the applicant to file this O.A.

3. In the course of the hearing, it was stated accross the bar that the applicant had paid the rent/penal rent/damage rent for the entire period in accordance

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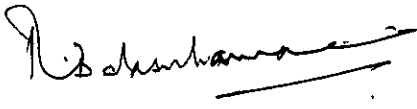
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with the Railway Rules, and he has also vacated the quarter on 1.10.1989. In view of the special circumstances of this case and to subserve the ends of justice, we consider it <sup>proper</sup> ~~adequate~~ to direct the respondents to resume the issue of the passes to the applicant from 1.1.1993 onwards.

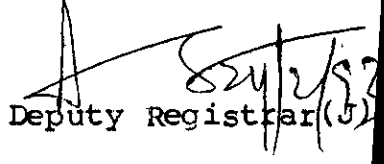
4. With these directions, we dispose of the O.A. with no order as to costs.

(Dictated in the open Court).

  
(R. BALASUBRAMANIAN)  
Member (Admn.)

  
(T. CHANDRASEKHARA REDDY)  
Member (Judl.)

Dated: 23rd February, 1993.

  
Deputy Registrar (J)

To

1. The General Manager, Union of India,  
S.E. Railway, Calcutta-043.
2. The Chairman, Railway Board,  
through the Secretary, Railway Board,  
New Delhi-1.
3. The Divisional Railway Manager, S.E. Rly,  
Visakhapatnam-4.
4. The Divisional Personnel Officer, S.E. Rly.  
Waltair, Visakhapatnam-4.
5. One copy to Mr. G. Ramachandra Rao, Advocate, CAT. Hyd.
6. <sup>vsn</sup> One copy to Mr. N. R. Devraj, SC for Rlys, CAT. Hyd
7. One spare copy.

pvm

URGENT

TYPED BY

COMPALED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V. NEELADRI RAO :V.C.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN :M(A)

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY  
:MEMBER(J)

AND

THE HON'BLE MR.

DATED: 23-2-1993

ORDER/JUDGMENT:

R.P./C.P/M.A. No.

in

W.A. No.

665/92

T.A. No.

(W.P. No.)

Admitted and Interim directions  
issued.

Allowed

Disposed of with directions

Dismissed as withdrawn

Dismissed

Dismissed for default

Rejected/Ordered

No order as to costs.

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