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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 1161 of 1997.

Date of decision: 15th December, 1997.

Between:

B. Shyam. Applicant.

and

1. Union of India represented by its
General Manager, South Eastern Railway,
Garden Reach, Calcutta - 43.

2. Divisional Railway Manager, South Eastern
Railway, Visakhapatnam.

3. F. A & C.A.O. (Pension), South Eastern
Railway, Garden Reach, Calcutta-43.

Respondents.

Counsel for the applicant: Sri P.B. Vijaya Kumar.

Counsel for the respondents: Sri N.R. Devaraj.

JUDGMENT.

(by Hon'ble Sri R. Rangarajan, Member (A))

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Heard Ms. P. Indira for Sri P.B. Vijaya Kumar
on behalf of the applicant and Sri N.R. Devraj for res-
pondents.

The applicant retired as a Station Manager, Simhachalam
North on 29-2-1996. His D.C.R.G., has not been ~~has not~~
~~been~~ paid. He has submitted a representation and he was
informed by the impugned order dated 24-10-1996
(Annexure IV to the O.A.) that all the settlement dues

have already been paid except the DCRG as there is a vigilance case pending against him and that the same will be paid to him as and when this case is closed.

This O.A., is filed ~~for~~ praying for a direction to the respondents to set aside the impugned Order No.WPS/Optg/NB/88/96 dated 24-10-1996 as ~~per~~ arbitrary, illegal and without jurisdiction and for a similar direction for release of DCRG together with interest at 24% per annum from the date of retirement till the date of payment together with costs.

No reply has been filed in this O.A.

The learned counsel for the applicant submits that the applicant is not aware of any vigilance case pending against him and he was not informed of the same so far.

In view of the above submission the following directions are given:

- 1) Respondent No.2 should inform the applicant within a fortnight from the date of receipt of a copy of this Order in regard to the details of the pending vigilance case against him
- 2) If such a reply with full particulars of the pending vigilance case is received by the applicant, the applicant, if so, advised may submit a detailed representation to Respondent No.2 within a month from the date of receipt of such

letter from the 2nd respondent.

iii) The appropriate Authority concerned on receipt of such representation from the applicant shall decide the pending vigilance case against the applicant within three months from the date of receipt of a copy of this Order and inform the applicant the decision taken by the Authorities and also inform the applicant, the necessity if any to withhold the DCRG, in case the decision is adverse to the applicant.

iv) If no reply is issued as above to the applicant within the stipulated period of three months from the date of receipt of a copy of this Judgment by the 2nd respondent No. 3, the applicant has to be paid the DCRG amount within a period of fifteen days from the expiry of three months period.

The O.A., is ordered accordingly. No costs.

अधिकारी प्रति
CERTIFIED TO BE TRUE COPY

न्यायालय अधिकारी प्रति राज्यसभा (मुख्यमंत्री)
Court Officer/Dy. M.C. (M)

केंद्रीय प्रशासन अदालत
Central Administrative Tribunal
हैदराबाद बैठकालय
HYDERABAD BENCH