

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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✓  
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SECTION OFFICER (Judl.)

Kahila  
23.10.17

FROM No. 4.  
( See Rule 42 )

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDER SHEET

1. original Application No. 141/06
2. Misc Petition No.
3. Contempt Petition No.
4. Review Application No.

Applicant(s) Ghana Kanta Saikia

Respondents Le. O. P. Tomy

Advocate for the Applicant(s) .. D.C. Borah, D.J. Borah, K.H. Khanakar

Advocate for the Respondant(s) .... Ranlusay Counsel.....

Notes of the Registry	Date	Order of the Tribunal
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1. Application is in form is filed/C. F. for Rs 10/- 2. posted vide P. D. B. No. 260324428 Dated 2.6.06.	13.06.2006	Heard learned counsel for the parties. The application is disposed of in terms of the order passed in separate sheets at the admission stage itself. No order as to comsts.
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DRB  
Dy. Registrar

DRS

Vice-Chairman

Steps taken with  
envelops.

mb

DR

Received

DR  
(For DR. J.L. Sarker)  
16/6/06

19.6.06

Copy of the Judg  
has been sent to the  
ofc. for issuing the  
lme to the applicat  
by post.

DR

9  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH, GUWAHATI

141 of 2006

O.A. No. ....

13.06.2006

DATE OF DECISION .....

Sri G.K. Saikia ..... Applicant/s

Mr D.C. Borah, Mr D.J. Borah, Mr. K.H. Khandakar ..... Advocate for the  
..... Applicant/s.

- Versus -

Union of India & Others ..... Respondent/s

Dr J.L. Sarkar, Railway Standing Counsel ..... Advocate for the  
..... Respondents

CORAM

HON'BLE MR.K.V.SACHIDANANDAN, VICE-CHAIRMAN

1.	Whether reporters of local newspapers may be allowed to see the Judgment ?	Yes/No
2.	Whether to be referred to the Reporter or not ?	Yes/No
3.	Whether to be forwarded for including in the Digest Being complied at Jodhpur Bench ?	Yes/No
4.	Whether their Lordships wish to see the fair copy of the Judgment ?	Yes/No

14/6/06  
Vice-Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 141 of 2006

Date of Order: This the 13th day of June 2006.

The Hon'ble Sri K. V. Sachidanandan, Vice-Chairman.

Sri Ghana Kanta Saikia  
S/o Late Manik Ch. Saikia  
R/o Village Gorahabi  
P.O. Panibharal  
P.S. Biswanath Chariali  
Dist. - Sonitpur, Assam.

... Applicant

By Advocates Mr. D.C. Borah, Mr. D.J. Borah and Mr. K.H. Khandakar,  
Advocates.

Versus -

1. Union of India,  
Represented by the General Manager,  
N.F. Railway, Maligaon,  
Guwahati - 11.

2. The General Manager (Construction)  
N.F. Railway, Maligaon,  
Guwahati - 11.

3. The Chief Engineer (Construction)  
N.F. Railway, Maligaon,  
Guwahati - 11.

... Respondents.

By Advocate Dr. J.L. Sarkar, Railway Standing Counsel.

ORDER (ORAL)K.V. SACHIDANANDAN (V.C.)

The applicant was a railway employee working in the N.E. Railway as Driver and he made an application dated 16.07.2003 (Annexure - 1) for voluntary retirement on the ground that he completed 56 years of age and completed 22 years of service as Driver. It is averred in the application that the competent authority has accepted his application and he was permitted to retire voluntarily with effect from 31.12.2003. Accordingly, the applicant proceeded on voluntary retirement and he was granted P.F. amount, GIS and leave salary except regular pension, DCRG and commuted value. But to his great surprise vide impugned order 23.02.2005 his voluntary retirement has been cancelled and vide order 06.05.2005, he was asked to deposit final settlement dues paid to him on the ground that the order accepting voluntary retirement has been cancelled. The applicant averred in the application that he was not informed the reason for cancellation of his voluntary retirement. Therefore, he submitted representation on 06.05.2005 to pay his pensionary benefits and for release of DCRG, commuted values, etc. However, the same has not yet been considered by the respondents. Aggrieved by the said action of the respondents canceling the voluntary retirement, he has filed this application seeking the following reliefs: -

"a) The letter bearing No. 20E/292/GLPT dated 23.2.05 about cancellation of the voluntary retirement of the applicant and the letter No. 202E/CON/Pen(GKS) dated 6.5.05 asking the applicant to deposit the dues already paid to him which were issued with ulterior motive, malice, whims and which also violate all standing circulars/instructions of the Government of India in Judicial

decisions and against the Principles of humanity and colorable exercises of administrative power shall be set aside.

b) To declare the applicant is entitled to get his monthly regular pension w.e.f. 1st January, 2004 and to release his D.C.R.G. commuted value etc. and in this regard appropriate direction may be given to pay the same forthwith.

c) And also prayed that such order or orders may be passed as deem fit and proper in the interest of justice, equity and fair play."

2. Heard Mr D.C. Borah, learned counsel for the applicant and Dr. J. L. Sarkar, learned standing counsel for the Railways.

3. When the matter came up for admission hearing, learned counsel for the respondents submitted that he has no instructions for cancellation of the voluntary retirement. Learned counsel for the applicant submitted that he will be satisfied if a direction is given to the Respondent No. 2 to consider his grievance and dispose of the annexure - 5 representation dated 06.05.2005 within a time frame. Learned counsel for the respondents submitted that it will suffice the ends of justice and he has no objection.

4. Considering the facts of the case and taking note of the fact that representation dated 06.05.2005 submitted by the applicant has not yet been disposed of, this Court is of the view that the 2nd respondent shall consider the annexure - 5 representation within a time frame of two months from the date of receipt of this order. It is made clear that the respondents should make due application of mind with regard to the rule position and also decision of the Supreme Court that pensionary benefit is not bounty, it is a right of the employees to receive it.

1.

5. Accordingly, the Respondent No. 2 or any other competent authority is directed to dispose of the representation as above and communicate the order forthwith thereafter. However, this Court makes it clear that any recovery whatsoever will not be made from the applicant as stated in annexure - 4 order dated 06.05.2005 till the disposal of the representation.

The O.A. is disposed of as above at the admission stage itself. No order as to costs.



( K. V. SACHIDANANDAN )  
VICE-CHAIRMAN

/mb/

8/6/06

केन्द्रीय प्रशासनिक अदायक  
Central Administrative Tribunal

9 JUNE 2006

गुवाहाटी न्दायत्री  
Guwahati Bench

Filed by the applicant -

-Sri Ghana Kanta Saikia

through:  
Deputy Advocate  
2-6-06

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:GUWAHATI BENCH:

GUWAHATI

( An application under Section 19 of the  
Administrative Tribunal Act, 1985 )

O.A. NO. 141 OF 2006

Sri Ghana Kanta Saikia ...Applicant

-VERSUS-

Union of India & Ors. ...Respondents

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S. No. Particulars of documents relied upon Page No.

1. ANNEXURE - 1 : Prayer made on 16.7.03 for voluntary retirement w.e.f. 14  
31.12.03 (AN)

2. ANNEXURE - 2 : Information about the acceptance of the voluntary retirement on 12.8.03 by the 15  
General Manager/Construction, N.F.Railway, Maligaon

3. ANNEXURE - 3 : Information about the cancellation of the voluntary retirement on 23.2.05 by the General 16  
Manager, Construction, N.F.Rly., Maligaon.

4. ANNEXURE - 4 : Advising the applicant to deposit the final settlement 17  
dues already paid to him on 6.5.05 by the General Manager, Construction, N.F.Railway, Maligaon.

5. ANNEXURE - 5 : Representation of the applicant dtd. 6.5.05 to the General 18  
Manager, Construction, N.F.Rly.  
Maligaon

Date of filing: ..... Signature of applicant

Date of Receipt by Post:

Registration No.:

Registrar

Mr. Dutt  
5/6/06

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:GUWAHATI BENCH:

GUWAHATI

( An application under Section 19 of the  
Administrative Tribunal Act, 1985 )

O.A. NO. 141 OF 2006

Sri Ghana Kanta Saikia,

S/o Late Manik Ch. Saikia,

R/o Village Gorahabi,

P.O.Panibharal,

P.S. Biswanath Chariali,

Dist. Sonitpur, Assam.

.....APPLICANT

-VERSUS-

1. Union of India,

Represented by the General  
Manager, N.F. Railway, Maligaon  
Guwahati-II.

2. The General Manager(Construction)

N.F.Railway, Maligaon,  
Guwahati-II.

3. The Chief Engineer(Construction)

N.F.Railway, Maligaon,  
Guwahati-II.

.....RESPONDENTS

Contd..P/-

*Ghosh*

DETAILS OF THE APPLICATION :1. PARTICULARS OF THE ORDERS AGAINSTWHICH THE APPLICATION IS MADE:

a) The application is direction against the order No. 20E/292/GLPT dated 23.2.05 issued under the order of the General Manager, Construction, Maligaon, Guwahati-II for cancellation of the voluntary retirement vide his office memorandum No. nil dtd. 22.2.05 which was accepted earlier by the authority.

b) Letter issued by the General Manager, Construction, N.F. Railway, Maligaon vide No. 202E/CON/Pen(GKS) dated 6.5.2005 advising the applicant to deposit the final settlement dues paid to him to enable the office to allow the applicant to join in his duty.

c) Non disposal of the applicant's representation regarding the permanent pensionary benefits and other outstanding dues submitted before the competent authority under N.F.Railway.

d) Representation dated 6.5.2005 filed by the applicant before the concerned competent authority with regard to the cancellation of the voluntary retirement and rejoining thereby which is yet to be disposed of.

2. JURISDICTION OF THE HON'BLE TRIBUNAL:

The applicant declares that the subject matter of the order as mentioned above against which he wants redressal is within the jurisdiction of the Hon'ble Tribunal.

Contd..P/-

4/2005

3. LIMITATIONS:

The applicant further declares that the application is within the limitation period prescribed under Section 21 of the Administrative Tribunal Act, 1985 in as much as the matter relates to non payment of pensionary benefits who has been repeatedly approaching the concerned authority.

4. FACTS OF THE CASE:

The applicant most respectfully states:

i) That the applicant was originally appointed in the Army Cadre as ASC/MD in 1965 and was discharged from the service in the year 1980.

ii) That the applicant being an ex-army cadre joined as Driver on 16.11.81 in Brahmaputra Bridge Project, Tezpur, N.F. Railway. From there the applicant was transferred to Naraparayan Setu Bridge Project, N.F. Railway, Jogighopa in the year 1988 and in the year 1998 he was transferred to Dy. CE/CON/GLPT's Office. The applicant having served many places without any break for more than 22 years as a Motor Driver Grade-II, on

*Ganesh*

16.7.03 he made a prayer before the authority for voluntary retirement w.e.f. 31.12.03 on his health ground as well as his other domestic problems.

Copy of the application dated 16.7.03 is annexed herewith and marked as Annexure-1.

iii) That the General Manager, Construction, N.F. Railway, Maligaon vide letter No.20E-292-GLPT( P.Case GKS) dated 12.8.03 informed the applicant that the competent authority had accepted his request for voluntary retirement from Railway Service w.e.f. 31.12.03 (AN) as asked in his application dated 16.7.03.

Copy of the application dated 12.8.03 is annexed herewith and marked as Annexure-2.

iv) That pursuant to the letter dated 12.8.03 the applicant proceeded on voluntary retirement w.e.f. 31.12.03 and accordingly he was granted all his retirement benefits except his regular monthly pension, DCRG and commuted value etc.

v) That the applicant after his voluntary retirement approached the authority to settle his regular pension which he was supposed to get from 1st January, 2004 but the authority did not take any step to settle his regular pension.

*Gopalrao*

vi) That the authority instead of granting the regular monthly pension as claimed by the applicant w.e.f. 1st January, 2004, informed the applicant vide letter No. 20E/292/GLPT dated 23.2.05 that the voluntary retirement which was accepted vide their office letter of even number dated 12.8.03 has been cancelled vide office memorandum No. Nil dtd. 22.2.05 and the applicant was asked to report to the office immediately. Mention may be made that the office memorandum No. Nil dtd. 22.2.2005 mentioned in the letter dated 23.2.05 was not enclosed along with the letter and in this regard repeated approaches were made by the applicant to collect the same from the concerned authority but he could not succeed and hence till today the applicant is not aware of the contents of the office memorandum dtd. 22.2.05. Moreover the impugned letter was received by the applicant in the month of April, 2005.

Copy of the impugned letter dated 23.2.05 is annexed herewith and marked as Annexure-3.

vii) That the applicant was stunned at getting the sudden and unexpected letter which came to him "as bolt from the blue" in as much as he proceeded on voluntary retirement on 31.12.03 (AN) and he was granted all financial retirement benefits other than regular monthly pension DCRG and commuted value etc. and the applicant also constructed a dwelling house having utilised the

Contd..P/-

Govind

financial retirement benefits received from the railway authorities except DCRG, commuted value and the regular monthly pension.

viii) That the General manager, Construction, N.F. Railway, Maligaon vide letter No. 202E/CON/Per (GKS) dated 6.5.05 asked the applicant to deposit the final settlement dues paid to him to enable the office to allow him to join in his duty.

Copy of the letter dated 6.5.05 is annexed herewith and marked as Annexure-4.

ix) That the applicant immediately furnished his reply by way of a representation dated 6.5.05 which was submitted before the General Manager, Construction, N.F. Railway, Maligaon, wherein it was stated inter alia that his voluntary retirement was accepted by the Railway administration on 12.8.03 on the ground of his ailment and other domestic problem and as such at this juncture it was not feasible on his part to rejoin in his duties and further stated that it was quite impossible to refund the dues paid to him. The applicant further prayed to sanction his pension and to release his DCRG, commuted value etc. so that his family person might save from starvation in this hard days. The applicant further requested to take action accordingly.

Copy of the representation dated 6.5.06 is annexed herewith and marked as Annexure-5.

Contd..P/-

Given

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS:

I. The impugned order cancelling voluntary retirement on 23.2.05 which was granted on 31.12.03 to the applicant is absolutely perverse, smacks malice-in-law and malice-in-fact in as much as the applicant having enjoyed the benefits of the voluntary retirement granted by the authority for more than two years now can not be made scape goat by the authorities which is not only the void of merit but also without any human consideration and seemed to have been issued to be an ulterior motive of malafide and extraneous consideration and is liable to be set aside.

II) The impugned orders dated 23.2.05 and 6.5.05 have been issued in complete violation of the existing rules placing the petitioner into the position of dol-drum for no fault of his part in as much as he having served more than 22 years in the railway department without any break applied for voluntary retirement due to his ill health and other domestic problems which was accepted by the authority and accordingly he was allowed to go on voluntary retirement on 31.12.03 by granting P.F. amount, G.I.S. and Leave Salary and amount received by the applicant was totally spent in constructing dwelling house, purchasing land etc. within the period of two years and above whereas vide impugned order dated

Contd.. P/-

Geetha

6.5.05 (Annexure - 4) the petitioner is directed to deposit final settlement dues paid to him which is not tenable in the eye of law but also is liable to be set aside.

III) The memorandum No. Nil dated 22.2.05 enclosed in the letter dated 23.2.05 (Annexure- 3) was not furnished to the applicant along with the said letter even though the applicant made repeated approaches before the authority and as such the applicant is at dark about the contents of the memorandum and as such action/inaction of the authorities are liable to be intervened by this Hon'ble Tribunal.

IV) To the knowledge of the petitioner he having served more than 22 years reckonable service is definitely entitled for his regular pensionary benefits but the authority came to a wrong conclusion that the applicant is not entitled to pension for not completing the required minimum period countable for pension is totally absurd and not recognised in the eye of law. It is pertinent to mention here that about his not entitlement of pension the authority has not furnished any speaking order till date but verbally informed the petitioner that he had not served minimum required period for pensionary benefit for which the applicant has been denied his monthly pensionary benefit till date which is nothing but a wrong finding of the authority.

Contd..P/-

*Gaurav*

V) While recalling the petitioner the authority ought to have given due importance to the representations of the petitioner dated 16.7.03 (Annexure - 1) and to the knowledge to the applicant no illegality was committed seeking voluntary retirement by the applicant assuming but not admitting any fault on his part, the petitioner is not responsible for any wrong doing by the respondents authority and now for their mistake the petitioner can not be allowed to suffer at the hands of the respondents authority.

VI) The said impugned order passed without consideration of facts are liable to be set aside.

VII) Due to the errors committed by the respondents authority the applicant is not able to get his monthly regular pension till date for which the petitioner along with his family members had already suffered acute financial hardship which is not only illegal but also contrary to the provision of the law.

#### 6. DETAILS OF REMEDIES EXHAUSTED:

The applicant declares that he had availed of all the remedies under the relevant Rules and submitted representations/appeals to the concerned authority who had not only disposed of the same but also paid unsym-

Contd..P/-

*Guilford*

203      pathetic and delinquent attitude.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT:

The applicant further declares that he had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made before any Court or any other authority or any other Bench of the Tribunal nor any such application, Writ petition or suit is pending.

8. RELIEF SOUGHT:

In view of the abovementioned facts and circumstances the applicant most respectfully prayed that your Lordships would be graciously pleased to admit this application, call for the records, issue notice calling upon the respondents to show cause as to why the impugned orders dated 23.2.05 and 6.5.05 (Annexure-3 & 4 respectively) shall not be set aside and after cause or causes if any shown by the respondents and after hearing the parties the following relief may kindly be granted.

- a) The letter bearing No.20E/292/GLPT dated 23.2.05 about cancellation of the voluntary retirement of the applicant and the letter No. 202E/CON/Per(GKS) dated 6.5.05 asking the

Contd.. P/-

Scanned

applicant to deposit the dues already paid to him which were issued with ulterior motive, malice, whims and which also violate all standing circulars/instructions of the Government of India in Judicial decisions and against the Principle of humanity and colourable exercises of administrative power shall be set aside.

b) To declare that the applicant is entitled to get his monthly regular pension w.e.f. 1st January, 2004 and to release his D.C.R.G. commuted value etc. and in this regard appropriate direction may be given to pay the same forthwith.

c) And also prayed that such order or orders may be passed as deem fit and proper in the interest of justice, equity and fair play.

#### 9. INTERIM ORDER, IF ANY PRAYED FOR:

Pending final decision on the application, the applicant seeks interim relief:

- The impugned orders dtd. 23.2.05 and 6.5.05 (Annexure 3 & 4 respectively) may be kept in abeyance;
- A direction may be given to concerned authority to pay his provision pension w.e.f.

1.01.04 ;

10. The application is being filed at the office of the Tribunal and the applicant undertakes to take all information from the office.

ii. Particulars of the Postal Order in respect of the application fee:

IPO No. 266 324488

Date: 26.06

drawn in favour of Registrar, Central Administrative Tribunal, Guwahati Branch.

12. LIST OF ENCLOSURES:

As state in the Index.

1. ANNEXURE - 1 : Prayer made on 16.7.03 for voluntary retirement w.e.f. 21.12.03 (AN)
2. ANNEXURE - 2 : Information about the acceptance of the voluntary retirement on 12.8.03 by the General Manager/Construction, N.F.Railway, Maligaon
3. ANNEXURE - 3 : Information about the cancellation of the voluntary retirement on 23.2.05 by the General Manager, Construction, N.F.Rly., Maligaon.
4. ANNEXURE - 4 : Advising the applicant to deposit the final settlement dues already paid to him on 6.5.05 Manager, Construction, N.F.Railway, Maligaon.
5. ANNEXURE - 5 : Representation of the applicant dtd. 6.5.05 to the General Manager, Construction, N.F.Rly Maligaon

Contd.. P/-

Writen

VERIFICATION

I, Shri Ghana Kanta Saikia, Son of Late Manik Ch. Saikia, aged about 59 years was working as Motor Driver Grade-II in the N.F.Railway, do hereby verify that the contents of paragraphs No. 1 to 4 are true to my personal knowledge and those in paragraphs No. 5 to 9 are true to the best of my information which have been derived from records which I believed to be true, and that I have not suppressed any material fact.

Ghansakanta Saikia

Place: Guwahati

Date: \_\_\_\_\_

Attested  
2-6-06  
Debajyoti Borah  
Advocate  
2-6-06

To,  
GM/CON/MLG  
N.E. Railway

Through proper channel

Sir,

Sub:-Prayer for Vol-retirement w.e.f 31.12.03 AN.

With due respect and humble submission I beg to lay  
the following few lines for your kind order please.

That sir, I wish to take Vol-retirement w.e.f 31.12.03  
AN as I have completed 56 years old as per my date of birth  
28.8.47. I have high blood pressure, so I am becoming unable  
to perform my duty properly. On the other hand my family  
members are residing in Assam due to childrens' education  
in Assamese medium and I have to maintain double  
establishment.

Moreover, my wife is suffering from various female  
diseases since long for which I am not in a position to  
perform my running duty in cool mind.

I therefore request you kindly grant me Vol-retirement  
w.e.f. 31.12.03 which will be most helpful for me and my  
poor family from this great troubles and oblige thereby.

Yours faithfully,

Dated:- 16/7/03  
Place:- Morigaon.

Ghara Kanta Saikia  
(Ghana Kanta Saikia)  
M/Driver Gr.II

Attested  
8-6-06  
Devajyoti Borah  
Advocate  
8-6-06

Northeast  
Frontier  
Railway

-15-

ANNEXURE - 2

Office of the  
General Manager/Con  
Maliigaon: Guwahati-11

No. 20 E-29 2-GLPT(P. Case GK8)

Dated: 12.08.2003

To

Shri Ghana Kanta Saikia  
MD/IT under Dy. CEE/C/MLG

Sub: Voluntary retirement.

Competent authority has accepted your request for voluntary retirement from Rly. service w.e.f. 31.12.2003 (AN) as asked for in your application dated 16.07.2003.

( P. G. Johnson )  
APC/Con  
for General Manager/Con

Copy forwarded for information and necessary action to:-

- 1) FA & CAO/Con/MLG
- 2) Dy. CEE/Con/MLG in reference to his letter No. dated 25.07.2003.
- 3) C.WI/Con/MLG
- 4) E/Hill at GM/Con

1167  
Dy. CEE/Con/MLG  
Received on 13.8.03

( P. G. Johnson )  
APC/Con  
for General Manager/Con

Dy. CEE/CON. B. 1/1/b  
DEE/CON  
13.8.03

Altered -  
8-6-06  
Devayoti Bora  
Advocate  
8-6-06

Registered with AFO

ANNEXURE-3

NORTHEAST FRONTIER RAILWAY

Office of the  
General Manager/Con  
Maligaon, Guwahati-11

No. 20E/292/GLPT

Dated 23.02.2005

To

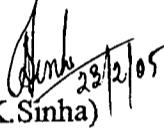
Shri Ghana Kanta Saikia  
Motor Driver/C/JPZ  
Vill. Garohabi  
P.O. Biswanath Chariali  
Dist. Sonitpur  
Assam

Sub- Voluntary retirement

The Voluntary retirement which was accepted vide this office letter of even No. dt. 12.8.2003 has been cancelled vide this office memorandum no. nil dt. 22.02.2005 (copy enclosed).

You are hereby asked to report to this office immediately.

DA  
(Home)

  
(A.K. Sinha)

APO/Con

For General Manager/Con  
N.F.Railway, Maligaon

Alleged  
Devayoti Sarker  
Advocate  
6-6-06

25

NORTHEAST FRONTIER RAILWAY

Office of the  
General Manager/Con  
Maligaon, Guwahati-11

No. 202E/CON/Pen(GKS)

Dated 06.05.2005

To

Shri Ghana Kanta Saikia  
Motor Driver/C/JPZ  
at office

Sub- Deposite of F.S.dues

Interms of this office order No. 20E/292/GLPT dt.  
23.02.2005, your voluntary retirement from Railway service has been  
cencelled. So you are advised to deposit the following final settlement  
dues paid to you to enable this office to allow you to join in your duty.

1. P.F.Amount	Rs. 2,01,918.00
2. GIS	Rs. 1,224.00
3. Leave salary	Rs. 47,303.00
Total	Rs. 2,50,445.00

  
(A.K. Sinha)

APO/Con  
For General Manager/Con  
N.F.Railway, Maligaon

Attested  
Devagpti Borral  
Advocate  
8-6-06

To  
The General Manager/Con,  
N.F.Rly., Maligaon.

(For kind attention of DY.CPO/Con).

Sub: Cancellation of Voluntary retirement and re-joining my duty in office  
thereby.

Ref: (1) GM/CON/MLG's L/No.20E/292/GLPT dt. 23.2.2005.  
(2) GM/Con/MLG's L/No.202E/Con/Pen (GKS) dt.6.5.2005.

Sir,

With due respect, I beg to lay the following few lines for favour of your kind consideration and sympathetic orders please.

That Sir, I tendered my voluntary retirement w.e.f. 31.12.2003, which was accepted by GM/Con, vide GM/Con's order dated 12.8.2003. Accordingly my P.F. & GIS amounting to Rs.2,03,142.00 was passed vide F/C 2150924 dated 16.12.2003 and paid in my favour. Pension, DCRG and other pensionary benefit has not been passed till date and I have been waiting for the same. But, instead of that I have received one letter referred above from your office, which has come to me as bolt from the heaven - that my voluntary requirement has been cancelled and I should join my duty immediately.

That Sir, my voluntary retirement was accepted by the Railway Administration on the ground of my heart ailment and high blood pressure which have made me physically weak. Accordingly, I have already passed more than one year of my retirement life.

That Sir, at this stage my health does not permit me to re-join duty and also it is quite impossible to refund all the amount mentioned above as per your above order as I have passed one year- a long span of time without any income source with my big family.

Further I pray your honour to kindly sanction my pension and release my DCRG, Commuted value etc. so that my family members may save from starvation in this hard days.

This is for your kind information and necessary action please for which act of your kindness I shall remain ever grateful to you and oblige thereby.

Dated, 6.5.2005.

Yours faithfully,

Ghana Kanta Saikia.  
(Ghana Kanta Saikia)  
Ex.Motor Driver/Con,  
N.F.Rly., Maligaon.

Alkereed  
Devalpati Borom  
Advocate  
6-6-06

Dikshu