

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH

CIRCUIT COURT SITTING AT BILASPUR

Original Application No. 135 of 2005

Bilaspur, this the 7th day of March, 2006

Hon'ble Shri Justice B. Panigrahi, Chairman
Hon'ble Shri Shankar Prasad, Administrative Member

H.C. Godeshwar, S/o. late Shivaji
Godeshwar, Aged about 60 years,
Ex-Senior Section Engineer, Electrical
Loco Shed, Bhilai, R/o. LIG-51, Vaishali
Nagar, Bhilai, District - Durg (CG). ... Applicant

(By Advocate - Ms. Sunita Jain on behalf of Ku. Pritha
Goshal)

V e r s u s

1. Union of India, through the
General Manager, South Eastern
Railway, Kolkata (WB).
2. The Divisional Railway Manager,
South East Central Railway,
Bilaspur (CG).
3. The Senior Divisional Electrical
Engineer, Electrical Loco,
South Eastern Central Railway,
Bhilai, District-Durg (CG). ... Respondents

(By Advocate - Shri S.P. Sinha)

O R D E R (Oral)

By Justice B. Panigrahi, Chairman -

In this case the applicant has prayed for releasing the entire amount towards the post retiral benefits alongwith the interest at the rate of 24%.

2. It appears, that when the applicant was working as Senior Section Engineer in 2002, he submitted a representation for voluntary retirement. The prayer of the applicant for voluntary retirement was accepted with effect from 31st May, 2002. The sole grievance of the applicant is that even after his prayer for voluntary retirement was accepted he has not been given the post retiral benefits. The respondents authorities have deducted an amount of Rs. 1,38,470/- which has been shown to be deficit on the applicant. It is claim

of the respondents that the applicant was incharge of the store and there was some shortage in stock to the tune of Rs. 1,38,470/-.

3. From the reply we are unable to come to a conclusion as to for what period the applicant was incharge of the store. Annexure R-2 filed by the respondents discloses the shortage as on 6.4.1997. The applicant has also not said anything in this regard in his OA. If the applicant was incharge after 1997, no responsibility can be fixed against him for the shortages on that date. Therefore, the reply being vague, we are not in a position to direct the respondent authorities to immediately pay the amount.

4. Thus in the aforesaid premises, we direct the respondent authorities to initiate a fact find enquiry with regard to the shortages claimed by them. If it pertains to the period for which the applicant was working, then he may be held responsible and such responsibility may be fixed after giving full opportunity of hearing to him and on perusal of the documents available with the respondent authorities. The enquiry with regard to shortage shall be concluded within three months from the date of communication of this order. In the event ^{being} of the applicant found not responsible for the deficit in stock, the amount withheld by the respondents shall be immediately paid with interest at the rate of 8% from the date of retention of the DCRG.

5. With the above observations, the application is disposed of. No costs.

Shankar Prasad
(Shankar Prasad)
Administrative Member

B. Panigrahi
(B. Panigrahi)
Chairman

4

पृष्ठांकन सं ओ/बदा.....जयलपुर, दि.....

प्रतिनिधि

(1) सचिव, जयलपुर, जयलपुर

(2) अध्यक्ष, जयलपुर, जयलपुर

(3) प्रत्यक्षी, जयलपुर, जयलपुर

(4) वार्डवाट, जयलपुर, जयलपुर

सूचना एवं आवश्यकता के अनुसार

जयलपुर

Kir Pr Singh Sodha
Bilal Singh
S. P. Singh
J. P. Singh

17/3/06