

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 775 of 2004

Jabalpur, this the 24th day of September, 2004

Hon'ble Mr. Madan Mohan, Judicial Member

Phool Chand Chowhan S/o Shri S.N.Chowhan
Driver 'A' Gr.Loco Shed Raipur,
R/o Village and post Lalbarah
District Balaghat(MP)

APPLICANT

(By Advocate - Shri H.R.Bharti)

VERSUS

1. Union of India through the Chairman
Railway Board, Rail Bhawan,
New Delhi.
2. General Manager,
Southern-Eastern Railway,
Garden Reach, Kolkata.
3. Divisional Railway Manager,
South Eastern Railway,
Bilaspur.
4. Sr. Divisional Mechanical Engineer,
South Eastern Railway,
Bilaspur.

RESPONDENTS

O R D E R (ORAL)

By filing this OA, the applicant has sought the following main relief :-

- "8.1. to direct the respondents to pay entire retiral dues like pension, DCRG, Leave Salary etc. in view of the period of three and half years as per (Ann A/1)
- 8.2. to direct the respondents to pay entire arrears including interest at appropriate rate".

2. The brief facts of the case are that the applicant was working as a Driver Gr.'A' in the Mechanical Department of Raipur Division S.E.Railway under the respondent no.3. He was compulsory retired from service vide order dated 3.1.90(Annexure-A-3). Aggrieved by this order the applicant has filed an appeal dated 31.1.90(Annexure-A-4) before the respondent no.2 but the same was not decided by the respondent no.2. Thereafter, the applicant has filed OA No.451/91. The Tribunal vide order dated 17.8.99 has directed the respondents to reinstate the applicant in service. By that time the applicant has crossed the



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age of superannuation on 20.6.93. The respondents have not complied with the order of the Tribunal, the applicant filed a contempt Petition No.70/03(Annexure-A-8) in which the applicant was directed to move a fresh OA if he still feels aggrieved. Hence, this OA.

3. Heard the learned counsel for the applicant.

4. The learned counsel for the applicant has argued that vide order dated 5.12.2002(Annexure A-1) the respondents have not considered ^{and not paid the} due retiral benefits of the applicant according to rules. The learned counsel for the applicant further stated that the respondents again may be directed to consider ^{and pay} the entire retiral dues i.e. pension, DCRG, leave salary etc. in accordance with the rules.

5. In the facts and circumstances of the case, I direct the respondents to consider and pay the entire retiral dues like pension, DCRG, Leave Salary etc. strictly to the applicant. in accordance with the rules within a period of 4 months from the date of receipt of copy of this order. Further the applicant is directed to supply a copy of this order as well as the copy of this OA.

6. The OA is disposed of at the admission stage itself without issuing the notice.


(Madan Mohan)
Judicial Member

skm

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....

परिवर्तित अर्थ दिनांक.....

(1) सचिव, उच्च न्यायालय, जबलपुर

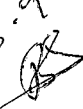
(2) अध्यक्षीय पी/पीजी/पु.....के कार्यालय

(3) प्रवर्तनी पी/पीजी/पु.....के कार्यालय

(4) योगदान, कोषागार, जबलपुर अध्यापक

सूचना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार

Issued
On 28.7.04


HR T. Mohan