

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 324 of 1999

Jabalpur, this the 3rd day of July, 2003.

Hon'ble Mr. D.C. Verma, Vice Chairman, (Judicial)  
Hon'ble Mr. Anand Kumar Bhatt, Administrative Member

Kedarnath Shukla. S/o Late Kisan Prasad Shukla,  
aged 71 years, retired Ch. Catering Inspector,  
South Eastern Railway, Presently resident near  
F.C.I. Gudawn, Mugeli Road, Bilaspur (MP) APPLICANT

(By Advocate - Shri Vijay Tripathi for Shri S.Paul)

VERSUS

1. Union of India represented through the  
General Manager, South Eastern Railway,  
Garden Reach, Calcutta-43.
2. Divisional Railway Manager, South Eastern  
Railway, Khurda Road, (Orissa).
3. Senior Divisional Personnel Officer,  
South Eastern Railway, Khurda, Road.  
(Orissa)

RESPONDENTS

(By Advocate - Mr. S.P. Sinha)

O R D E R (ORAL)

By Anand Kumar Bhatt, Administrative Member -  
The OA is about issue of post-retirement

complimentary passes to the applicant.


2. The submission of the applicant is that he  
retained Railway quarter from 1.1.1986 to 30.10.1987  
i.e. for 22 months. However, after retirement his  
complimentary passes have been withheld for the last  
11 years which is not justified.
3. Heard the learned counsel and perused the pleadings.
4. The actual unauthorised <sup>22</sup>retention by the  
applicant was from 31.1.1981 to 30.10.1987, as the  
applicant was transferred from Bilaspur to Khurda in

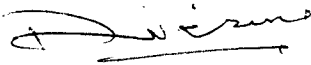
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January 1981 and therefore, he retained the railway quarter in the pre-retirement period from 31.1.1981 to 31.12.85 and thus the total unauthorised detention was for 6 years 9 months.

5. The learned counsel for the applicant has drawn our attention to the judgment given by the Mumbai Bench of the Tribunal in the case of S.R.Shetty Vs. Union of India and others, 1993(3)(CAT)SLJ 541 in which it has been decided that for unauthorised occupation of quarter after retirement the complimentary passes cannot be withheld. The said judgment has been based on the basis of Full Bench decision of this Tribunal in the case of Wazir Chand Vs. Union of India & ors, 1991(1)ATJ 60. The learned counsel has also submitted that even now the complimentary passes have not been released to the applicant.

6. In view of the judgment of the Full Bench of the Tribunal in the case of Wazir Chand (supra), this OA is allowed and the respondents are directed to release to the applicant the complimentary passes from the calendar year 2003 onwards. No costs.

  
(Anand Kumar Bhatt)  
Administrative Member

  
(D.C. Verma)  
Vice Chairman (J)

rkv.

*ICW/...*  
*10/7/03*

पृष्ठंकन सं ओ/न्या.....जबलपुर, दि.....  
पतिलिपि एवं फिल...

- (1) सचिव, उच्च न्यायालय, जबलपुर
  - (2) अध्यक्ष, न्यायिक सेवा आयोग, जबलपुर
  - (3) प्रवक्ता, न्यायिक सेवा आयोग, जबलपुर
  - (4) वरिष्ठ सचिव, न्यायिक सेवा आयोग, जबलपुर
- सूचना एवं आवश्यक कार्यवाही हेतु

*S. Durl. AC*  
*S.P. Sinha, AC*  
*D. K.*