

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 595 of 2000

Jabalpur, this the 13th day of February, 2004

Hon'ble Shri G. Shanthappa, Judicial Member

Harlal aged about 62 years,  
son of Halkoo, Retired Khalasi,  
Jabalpur, Central Railway, Jabalpur,  
at present r/o. Rajendra Ward,  
Railway Station, Gadarwara, Tahsil  
Gadarwara, Distt. Narsinghpur.

... Applicant

(By Advocate - None)

V e r s u s

1. U.O.I., Union of India, through  
Secretary to the Government of  
Railway, New Delhi.
2. Divisional Manager, Central  
Railway, Jabalpur.
3. Divisional Account Officer,  
Central Railway, Jabalpur.
4. Divisional Manager, Central  
Railway, Jabalpur.

... Respondents

(By Advocate - Shri M.N. Banerjee)


O R D E R (Oral)

None for the applicant. Since it is an old case of 2000, we propose to dispose of the same by invoking the provisions of Rule 15 of CAT(Procedure) Rules, 1987.

2. By filing this Original Application the applicant has claimed the relief to issue suitable order to the respondents for payment of Rs. 80,989/- alongwith an interest at the rate of Rs. 18% P.A. on the amount due till the same remain unpaid.

3. The brief facts of the case as stated by the applicant are that the applicant was working as Khalasi at Central Railway. He retired on 31.08.1996 on attaining the age of superannuation. He further submitted that he has submitted an application to settle his retiral



 ~~XXXXXX~~ benefits. As per Annexure A-1 the amount payable to the applicant have been settled at Rs. 99,898/- out of which the amount payable to the applicant remain unpaid to the tune of Rs. 80,968/- as part payment has been made. This is evident from the slip dated 25.6.98. Aggrieved by this the applicant has filed this Original Application claiming the aforesaid reliefs.

2. The respondents have filed their reply contending that during the pendency of the application they have through a cheque paid <sup>an</sup> amount of Rs. 73,528/- to the applicant. But the ~~ap.~~ applicant filed an affidavit dated 11.8.2000 that the cheque for an amount of Rs. 73,528/- has not been received by him in the month of August, 1998. He also submitted that if he receives the cheque in future he will return the same to the Railway Administration. Thereafter a fresh cheque for Rs. 79,914/- dated 28.8.2000 has again been sent to the applicant. It is inclusive the amount of Rs. 73,528/- and an additional amount of Rs. 6,386/- due to refixation of pension. The respondents submits that as the entire amount has been paid to the applicant, the reliefs claimed by the applicant in this OA has become infructuous. Hence the OA is liable to be dismissed as infructuous.


3. Heard the learned counsel for the respondents and perused the pleadings and the records.

4. In view of the above I find that as the respondents have stated in their reply that they have paid the entire amount to the applicant, the reliefs claimed by the applicant has become infructuous. Accordingly, the



Original Application has become infructuous in respect of the retiral benefits of                      the applicant. But as regards the interest, the applicant                      retired from service with effect from 31.08.1996 and the respondents have admitted that the payment of retiral benefits amounting to Rs. 79,914/- has been paid to the applicant on 28.8.2000. Thus, the respondents are directed to pay interest on this amount to the applicant at the prevalent rate of GPF within a period of three months from the date of receipt of a copy of this order.

5. Accordingly, the Original Application stands disposed of. No costs.

  
(G. Shanthappa)  
Judicial Member

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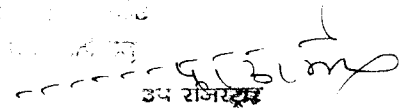
सूचना एवम् अन्तर्गत प्रमाणित

उप सचिव

PN Patel

M N Banjan, Hde.

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उप सचिव