

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

M.P-58/2000 order sheet Pg-1 to 2

Disposed Date-27/4/2000

INDEX

M.P-318/99 order sheet Pg-1 to 6

Dismissed Date-1 to 8

O.A/T.A No. 27/1996

R.A/C.P No.....

E.P/M.A No. 58/2000

1. Orders Sheet.. O.A.-27/96..... Pg..... 1 to..... 9
2. Judgment/Order dtd. 08/01/1999..... Pg..... 1 to..... 2 Disposed
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A..... 27/96..... Pg..... 1 to..... 13
5. E.P/M.P..... 58/2000..... Pg..... 1 to..... 5
6. R.A/C.P..... N.I.L..... Pg..... to.....
7. W.S..... N.I.L..... Pg..... to.....
8. Rejoinder..... M.P-317/99 order sheet Pg..... 1 to..... 4
9. Reply..... Disposed date-25/6/2000..... to.....
10. Any other Papers..... petition copy- Pg..... 1 to..... 8
11. Memo of Appearance..... M.P-59/2000 order sheet Pg-1 to 2
12. Additional Affidavit..... Disposal date-27/4/2000
13. Written Arguments..... petition copy- Pg- 1 to 5
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

Objection filed Pg- 1 to-4

SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
GUWAHATI

ORIGINAL APPLN. NO.

27 OF 1996

TRANSFER APPLN. NO.

OF 1995

CONTUMPT APPLN. NO.

OF 1995 (IN OA NO.)

REVIEW APPLN. NO.

OF 1995 (IN OA NO.)

MISC. PETN. NO.

OF 1995 (IN OA NO.)

Mehta, Jayesh APPLICANT(S)

-vs-

W.O. 1. Pow. RESPONDENT(S)

FOR THE APPLICANT(S)

...MR. M. Chanda
MR.
MR.
MR.

FOR THE RESPONDENTS

...MR. B.K. Sharma
Rly. advocate

OFFICE NOTE

DATE

ORDER

8-3-96

Learned counsel Mr. M. Chanda for the applicant. The applicant has retired from Railway service on 30-4-1994. The respondents have not paid the gratuity and other payments mentioned in the application till date. In this application the applicant prays for payment of gratuity and other amounts alongwith 18% interest.

Perused the application. Heard Mr. Chanda. Application is admitted. Issue notice on the respondents. Write written statement within 6 weeks.

List on 22-4-96 for written statement and further order.

Mr. B. Mehta learned counsel is present on behalf of Railway counsel Mr. B. K. Sharma.

Liberty to the respondents to pay the amounts as prayed for, if admissible, pending disposal of this case.

Member

60

Requisite steps are
not yet taken by the
applicants' Advocate.

lm

1894

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
GUWAHATI

ORIGINAL APPLN. NO.
TRANSFER APPLN. NO.
CONT EMPT APPLN. NO.
REVIEW APPLN. NO.
MISG. PETN. NO.

OF 1995
OF 1995
OF 1995 (IN OA NO.)
OF 1995 (IN OA NO.)
OF 1995 (IN OA NO.)

OA 27/96

..... APPLICANT(S)

-VS-

..... RESPONDENT(S)

FOR THE APPLICANT(S)

...MR.
MR.
MR.
MR.

FOR THE RESPONDENTS

...MR.

OFFICE NOTE

DATE

ORDER

22.4.96

Written statement has not been submitted.

As requested by learned counsel Mr S.Sarma for the respondents list on 10.6.96 for written statement and further order.

6
Member

10-6-96

Mr. M. Chanda for the applicants
Mr. B. K. Sharma for the respondents.
Counter has not been submitted. At the request of Mr. B. K. Sharma adjourned to 10-7-96 for counter and further order.

6
Member(A)

6
Member(J)

10.7.96

None present. Written statement has not been submitted.

List on 24.7.96 for written statement and further orders.

6
Member

pg
16/7/96

w/statement has not
been filed.

ED
SFT

w/statement has not
been filed.

ED
SFT

24.7.96

Mr. M.Chanda present for the applicant
Written statement has not been
submitted . List for written statement and
further order on 20.8.96.

69
Member

trd

20-8-96

Learned counsel Mr.M.Chanda for the
applicant. Learned counsel Mr.S.Sarma for
Mr.B.K.Sharma prays for time to submit
written statement.

List for written statement and fur-
ther order on 18-9-96.

69
Member

lm

20/8

18.9.96

Learned counsel Mr. M. Chanda
for the applicant. None for the respondents.
Written statement has not been submitted.

List for written statement and
further orders on 8.10.96.

69
Member

nk

8-10-96

Learned counsel Mr.M.Chanda for
the applicant. None for the respondents
Written statement has not been submitted

List for written statement, and
further order on 18-11-96.

69
Member

lm

19/10

18.11.96

None present.

Written statement has not been submitted.

List for written statement and further orders on 4.12.1996.

6
Membertrd
on/3/11

1) Notice duly served on Respondent No. 1, 2 -

4.12.96

Learned counsel Mr. M. Chanda for the applicant. No written statement has been submitted.

2) written statement has not been filed.

List for written statement and further orders on 2.1.1997.

6
Membernkm
on/5/12

2.1.97

None present. Written statement has not been submitted.

List for written statement and further orders on 23.1.97.

6
Membernkm
n/8/11

31.1.97

Written Statement has not been filed

On the prayer of Mr. B.K. Sharma, appearing on behalf of the respondents 2 weeks time to file written statement is granted. No further extension of time will be granted. If no written statement is filed the case will proceed ~~without~~ in the absence of written statement.

List on 14.2.1997.

S.B
Vice-Chairman

trd

~~PS not filed but
replies received.~~

13 5

O.A. 27/96

13-3-97

1) Notice duly served
on Respondent No-
1 & 2.

28.2.97

Adjourned to 14.3.1997.


Vice-Chairman

2) W/S has not been
submitted.

pg

Y28
13/3

14.3.97

Mr. B.K.Sharma, learned Railway
counsel prays for further extension of time to
file written statement. From the Order sheets
it is seen that several adjournments have been
granted for filing of written statement. I am not
inclined to grant any further extension of
time.

Let the cause be listed for hearing
on 2.5.1997.

1.5.97


Vice-Chairman

Written statement
not yet filed by the
respondent, but case ^{trd} ~~1/98~~
is already fixed for
hearing.

2-5-97

Mr. M.K.Choudhury learned counsel
appearing on behalf of the respondent
prays for 2 weeks time for adjournment
as needs some more instructions.

List for hearing on 16-5-97.


Vice-Chairman

1) Notice duly served
on op. No. 1 & 2.
2) W/S. has not been filed.
3) W/S. has not been filed.

lm

fr
6/5

16.5.97.

Left over. List on 27.6.97

for hearing.

W/S. has not been filed
Notice duly served
on op. No. 1 & 2.

pg

fr
20/5

26/6


Vice-Chairman

V

27.6.97

Learned counsel for the parties pray for adjournment on the ground that Mr M. Chanda's mother is seriously ill and the name of Mr B.K. Sharma, learned Railway Counsel, has not been shown in the cause list.

List on 8.8.97 for hearing.



Vice-Chairman

nkm
M/10
3/3

8-8-97

Memo of appearance filed by Mr. B.K. Sharma, learned Rly. Counsel.

8.8.97. Adjourned to 11-8-97.

By order

11.8.97. Passed over for the 28.

By order

4-9-97

written statement not been filed.

12.8.97. Adjourned to 5.9.97.

By order

C. has not been filed. 5.9.97. Adjourned to 31.10.97.
Notice duly served on
Nos. 1 & 2.

By order

31.10.97

On behalf of Mr M. Chanda, mention has been made that Mr Chanda is unable to attend court today because of his personal difficulty. List the case on 28.11.97.



Vice-Chairman

Notice duly served on R-1 and 2.

Written statement has not been filed.

Regarding notice the case is already on hearing.

nkm

M/11

28.11.97

There is no representation his on 12.12.97.

By order

22/11/97

O.A. 27/96

12-12-97

Case is adjourned till 19-12-97

LM

BY ORDER

Notices duly served
on 8 Nov 1-2
w/s ms not serv
filed.

A
8/12

12-12-97

Case is adjourned till 19-12-97.

LM

BY ORDER

19-12-97 Adjourned to 13-2-98.By
Jd.

24.4.98

Two weeks time allowed on the
prayer of Mr. A.K. Sar~~Choudhury~~ learned
Addl. C.G.S.C. for filing of written
statement. List it on 8.5.98.

Vice-Chairman

nkm

24.4.98

On the prayer of the learned
counsel for the parties this case is
adjourned till 1.5.98.



Vice-Chairman

nkm

Jd
28/4

1.5.98

Adjourned to 12-6-98.

12.6.98

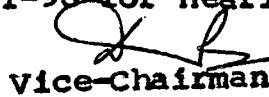
Adjourned to 26.6.98

By order
Jd

26-6-98

In spite of repeated adjournments
the respondents have not filed written
statement. The case will proceed without
written statement on behalf of the
respondents.

List it on 20-11-98 for hearing.


Vice-Chairman

lm

29/6

20.11.98 On the prayer of Mr. S. Sarma, on behalf of Mr. B.K. Sharma, learned Railway Counsel case is adjourned till 18.12.1998.

Fix on 18.12.1998.


Vice-Chairman

22-12-98

trd

28/11

There was a Bench
at Adjourned on 18.12.98.
Hear placed in order.

1-1-99

On the prayer of Mr. M. Chanda, learned counsel for the applicant case is adjourned to 8-1-99 for hearing.

lm

*29
A/1/99*


Vice-Chairman

8.1.99

Heard Mr. M. Chanda, learned counsel for the applicant. There is no representation on behalf of the Railways. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application is disposed of. No order as to costs.

nkm


Vice-Chairman

9/2/99
Copies of the
judgment have been
sent to the D/Secy.
for issuing the same
to the party's through
Rgds with APD.

41
issued ride despatch
No. 466 to 468 dt. 10.2.99

ADM
26-3-99

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::::GUWAHATI-5.

O.A. No. 27 of 1996

8.1.1999
DATE OF DECISION.....

!! Shri Motilal Ghosh

(PETITIONER(S))

Mr M. Chanda

ADVOCATE FOR THE
PETITIONER(S)

VERSUS

Union of India and others

RESPONDENT(S)

Mr B.K. Sharma, Railway Counsel.

THE HON. MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.27 of 1996

Date of decision: This the 8th day of January 1999

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

Shri Motilal Ghosh,
Retired Electrical Chargeman/A,
C/o Upendra Lal Nath,
Railway Quarter No.120/A,
B.G. Colony, Guwahati.
By Advocate Mr M. Chanda.

.....Applicant

- versus -

1. The Union of India, represented by the
General Manager,
N.F. Railway, Maligaon,
Guwahati.

2. The Chief Personnel Officer,
N.F. Railay, Maligaon,
Guwahati.

.....Respondents

By Advocate Mr B.K. Sharma, Railway Counsel.

O R D E R

BARUAH.J. (V.C.)

This application has been filed by the applicant seeking certain directions.

2. The applicant, at the material time, was an employee under the N.F. Railway. He was working as Electrical Chargeman/A. He attaine the age of superannuation on 30.4.1994. The contention of the applicant is that his DCRG has not yet been paid in spite of repeated demands. Hence the present application.

3. I have heard Mr M. Chanda, learned counsel for the applicant. There is no representation on behalf of the Railway Administration. Mr Chanda submits that during the pendency of this application an amount of Rs.38,347/- had been paid to the applicant in the year 1996, i.e. after a lapse of two years. According to Mr Chanda an amount of

SKB

B

Rs.5213/- is still left to be paid to the applicant and the Railway Administration has not given any reason for withholding the said amount. Therefore, according to Mr Chanda, the applicant is entitled to the said amount with interest. No written statement has been filed. The records have also not been produced before this Tribunal. Mr Chanda also submits that an amount of Rs.392/- was deducted without assigning any reason whatsoever. According to Mr M. Chanda there is a clear averment made in para 6 of the application to the effect that the said amount of Rs.392/- was illegally realised. This fact has not been rebutted by the respondents. Therefore, such deduction can be said to be illegal. As nothing has been shown by the Railway Administration, I am inclined to agree with the submission of Mr Chanda. It is also true that when an amount is required to be paid, if it is delayed then some compensation by way of interest should also be paid for the delay. In this connection reference may be made to a decision of the Apex Court in R. Kapur -vs- Director of Inspection (Painting and Publication), Income Tax and another, reported in (1994) 6 Scc 589. Therefore, I am of the opinion that the applicant is entitled to get interest at the rate of 18% per annum. Mr Chanda also submits that during the pendency of this application before the Tribunal a show cause notice was issued as to why an amount of Rs.5200/- should not be recovered from the applicant. The applicant duly submitted his reply. However, nothing has been done by the respondents.

4. In view of the above I dispose of this application with direction to the respondents to pay the balance amount of Rs.5213/- to the applicant together with interest at the rate of 18% per annum with a cost of Rs.100/- as early as possible, at any rate within a period of two months from the date of receipt of this order.



(D. N. BARUAH)
VICE-CHAIRMAN

Central Administrative Tribunal
Guwahati Bench
16 FEB 1996
Guwahati Bench
Guwahati, Assam

filed by
M. Chanda
Anwar
M

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH,
GUWAHATI.

An application under section 19 of the
Administrative Tribunal Act, 1985.

O.A. 27/96.

Shri Motilal Ghosh.

..... Applicant.

-Versus-

Union of India & Ors.

..... Respondents.

I N D E X.

<u>Sl.</u>	<u>Annexure.</u>	<u>Particulars.</u>	<u>Page.</u>
1.	-	Application.	1 - 8.
2.	-	Verification.	8.
3.	1.	Hon'ble Tribunal's Order dated	9 - 12
4.	2.	Representation dated 28.11.95.	13

Received on
Mr. B. K. Guha
from
S. S. Datta

✓ Mati Lal Ghosh
04/2/26

15

1. Particulars of the applicant.

Shri Motilal & Ghosh,
Retired Electrical Chargeman/A,
C/O. Upendra Lal Nath,
Railway Quarter No. 120/A,
B.G. Colony, P.O. Bamunimaidan,
Gauhati - 21.

2. Particulars of the Respondents.

1. Union of India,
Represented through General Manager,
N.F. Railway, Maligaon,
Guwahati - 11.
2. Chief Personnel Officer,
N.F. Railway, Maligaon,
Guwahati - 11.

3. Particulars for which this application is made.

This application is made for immediate payment, gratuity (D.C. R.G.), Packing charge, and O.T.A. for 1991 for 67.15 hours and also for payment of interest ~~on~~ at the rate of Rs. 18% on the total amount of gratuity (DCRG) due to the applicant w.e.f. 1.5.94 to till the date of actual payment.

4. Limitation.

The applicant declares that the applicant has filed within the limitation as prescribed under section 21 of the Central Administrative Tribunal Act, 1985.

5.....

Moti Lal Ghosh
09/2/96

5. Jurisdiction.

The applicant declares that the subject-matter of the application is within the jurisdiction of this Hon'ble Tribunal.

6. Facts of the case.

1. That the applicant is a citizen of India and as such he is entitled to all the right and privileges guaranteed by the Constitution of India. The applicant retired from Railway service w.e.f. 30.4.1994 as Electrical Charge man/A from the Guwahati Office under the respondents No.1 and 2.
2. That after retirement from Railway service w.e.f. 30.4.94, the respondents have delayed the payment of retirement dues of the applicant and particularly the payment of provident fund, group insurance, leave salary paid to the applicant after long delay, although approached the Authorities on several occasions.
3. That the applicant begs to state that the respondents have not yet been paid the gratuity (D.C.R.G.) which is due to the applicant and the respondents ought to have paid the same to the applicant immediately after his retirement. Due to non receipt of payment of

retirement.....

Math Lal Ghosh
04/2/96

retirement benefit, the applicant have suffered financial hardship as well as mentally. Even leave salary, provident fund, group insurance, also paid after a long delay.

4. That the applicant could not fix the date of marriage, of his daughter, due to non-receipt of gratuity and other retirement benefit, and now facing acute financial hardship and also sustaining financial loss, if the retirement benefit would have received in due time, the applicant also could have earned bank interest, but the respondents due to their negligence, have denied this opportunity to the applicant, therefore respondents are liable for payment of interest at the rate of 18% w.e.f. 1.5.94 till the actual payment of retirement benefit. The applicant is also entitled to receive 18% interest on the total amount of DCRG, which is due to the applicant, as the same is not paid to the applicant till filing of this application before this Hon'ble Tribunal.

5. That the applicant begs to state that he had filed an original application against establishment order No. 11 of 1993 as regard the alleged recovery

of over.....

Mati Lal Ghosh

of over payment and also with the prayer for a direction to the respondents not to make recovery from the applicant, the said application was registered as O.A. 56/93. However, this case was disposed of with the direction not to make any recovery and it is also stated in the said order that the application is premature. The said order was passed by the Tribunal on 12.

A copy of the order dated 12 passed by the Hon'ble Tribunal in O.A. No. 56/93 is annexed as Annexure - I.

6. That the applicant begs to state that an amount of Rs. 392/- (Rupees three hundred ninetytwo) only was recovered from the applicant from the pay of the applicant for the month of March 1993 without giving any opportunity to the applicant. Therefore, this amount of Rs. 392/- is liable to be refunded to the applicant by the Respondents.

7. That the gratuity (DR DCRG) amount which is due to the applicant on his retirement on superannuation cannot be delayed the payment of the same without any bona fide reason as per the existing Rly. rule.

Be it.....

Mathi Lal Ghosh

Be it stated that the gratuity (DCRG) cannot be withheld without Presidential order on pendency of disciplinary proceeding, whereas in the instant case, there is no any disciplinary proceeding pending against the applicant. Therefore, non-payment of DCRG. is highly illegal, arbitrary and unfair and the Respondents are liable to pay 18% interest on the amount of DRG. till the actual date of payment.

8. That the applicant submitted representation dated 28.11.95 before the GM(P), N.F. Railway, Maligaon praying for immediate payment of gratuity money and other retirement benefit but to no result.

A copy of representation dated 28.11.95 is enclosed as Annexure- 2.

9. That this application is made bona fide and for the cause of justice.

7. Reliefs sought for.

1. That the respondents be directed for immediate payment of gratuity money (DCRG) due to the applicant along with 18% interest w.e.f. 1.5.94 to till the date of actual payment.

2.....

Math Lal Ghosh

2. That the Respondents be directed to pay package allowance due to the applicant on superannuation.
3. That the Respondents be directed to refund Rs. 392/- which was illegally deducted by the Respondents from the pay of the applicant for the month of March, 1993.
4. Cost of the case.

The above reliefs are prayed on the following amongst other -

-G R O U N D S-

1. For that non-payment of gratuity without any valid reason immediately after retirement is illegal arbitrary and contrary to pension rule.
2. For that delay in payment of gratuity (DCRG) lead to Extreme financial hardship to the applicant.
3. For that recovery made from the pay and allowance for the month of March 1993 without any opportunity to the applicant

4. For that there is no disciplinary proceeding pending against the applicant.

5. For that entitlement of DCRG. is a valuable right earned by the applicant by ~~by~~ virtue of his entire Railway service.

6. For that payment of DCRG. is delayed by the Respondents without any fault of the applicant.

8. Interim reliefs prayed for.
During the pendency of this application the following interim reliefs be granted.
1) Respondents be directed to pay gratuity.
The above relief is prayed on the ground explained in para 7 above.

9. Details of remedy exhausted :-
There is no scope of any other remedy except the application before this Hon'ble Tribunal.

10. Matter not pending in any court/Tribunal.
The applicant further declares that he had filed O.A. No. 146/92 in this Tribunal and still pending before this Tribunal.

11.....

Mah' Lal Ghosh

11. Particulars of Postal Order.

I. P.O. No. :
Date :
Issued from :
Payable at :

12. Details of Index.

An Index showing the particulars of documents
is enclosed.

13. List of Enclosures :-

As per Index.

V E R I C I C A T I O N.

I, Shri Motilal Ghosh, son of late Jibon
Krishna Ghosh, resident of Bamuni Maidan, do hereby
declare that the statements made in paragraphs 1 to 13
are true to my knowledge and I have not suppressed any
material facts.

Place :

Date :

Motilal Ghosh
Signature.

04/2/97

- 9 -

Annexure 1

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 56 of 1993.

Date of decision : This the 1st day of November, 1995.

The Hon'ble Justice Shri M.G.Chaudhari, Vice-Chairman.

Sri Matilal Ghosh
S/o Late Jibin Krishna Ghosh,
Resident of Rly. Quarter No. 247/B,
Type-III, B.G.Colony,
Bamunimaidan,
P.O. & P.S. Bamunimaidan
Guwahati-21.

..... Applicant

By Advocate Mr. M.Chanda.

-versus-

1. Union of India,
Represented through General Manager,
N.F.Railway, Maligaon, Guwahati.
2. Chief Personnel Officer,
N.F. Railway, Maligaon,
Guwahati.

..... Respondents

By Advocate Mr. B.K.Sharma.

ORDER

CHAUDHRI J. (V.C.)

The applicant who was working with the N.F.Railway was promoted as Master Craftsman in the scale of Rs. 1400-2300 on 25.11.86. He has since retired on 30.9.94. The pay on promotion was fixed at Rs.1720 p.m. on profroma basis with effect from 1.1.1984. He reached the pay of Rs. 1800 by 20.11.1988.

2. By Establishment Order No. 11 of 93 issued on 4.2.93 by the A P O the pay was however refixed in the same scale i.e. Rs. 1400-2300 as follows :

..... Rs. 1850

Attest
Bhupinder
Soni

Rs. 1850 on 20.11.88
Rs. 1900 on 1.11.89
Rs. 1950 on 1.11.90
Rs. 2000 on 1.11.91

With addition of one annual increment and one notional increment the pay as on 1.11.91 was raised to Rs. 2050.

As from 1.11.91 the fixation was done in the next higher stage of scale of Rs.1600 to 2660 at

Rs. 2100 on 1.11.91 and
Rs. 2150 on 1.11.92

The fixation upto 1.11.91 was done under FR 22 (a) and the fixation in the higher stage from 1.11.91 was done under FR 22 (C).

3. The order does not refer to any overpayment to the applicant resulting from the refixation of the pay. Nor there is any mention of any recovery to be made from him nor any follow up order was issued proposing ^{recovery} necessary. The forwarding note at the bottom of the order containing following remarks :

- (1)
- (2)
- (3)
- (4) EC/... (Shri B.L.Akhtar, CS(II). The recovery overpayment involved will be recovered in easy instalment from the staff.
- (5) Shri M.L.Ghose EC/A/TL/GHY through SEP/TL/GHY.
- (6)

Since the order was passed in connection with the refixation of pay of the applicant alone he believed from the forwarding endorsement No. 4 quoted above that recovery of some amount was likely to be made from him. He

...therefore

therefore filed the instant O.A. on that apprehension challenging the correctness of the refixation.

4. Although the applicant has prayed that the aforesaid establishment order be quashed and the respondents be directed not to make any recovery in terms thereof, it is apparent that unless the amount intended to be recovered on account of overpayment arising from refixation of the pay was intimated to him and he was called upon to pay the same or recovery was directed the applicant had no cause of action to make grievance. The application did not disclose any cause of action at the stage at which it was filed.

It is needless to add that before taking any steps for recovery of any amount if proposed to be made hereafter it will be necessary to give prior notice to the applicant in which event the applicant if aggrieved will be at liberty to adopt such remedy as he may be advised in accordance with the law but after exhausting departmental remedies.

5. The applicant had also introduced the prayer that the respondents be directed to fix his pay at Rs. 1800/- with effect from 1.1.88 and thereafter fixation benefit in the cadre of Electrical Chargeman B be given to him. It however appears that the applicant has been given that benefit and therefore Mr. Chanda does not press for the same.

In the result with the direction to the respondents that in the event of any recovery being proposed to be made from the applicant on account of overpayment or difference arising from fixation of the pay under the Establishment Order No. 11/93 dated 4.2.93 they shall give notice to the applicant to show cause against that action and after considering his explanation, if any, issue further directions as may be called for. The O.A. is disposed of.

.....No

Attested
Gopal
DR

No order as to costs.

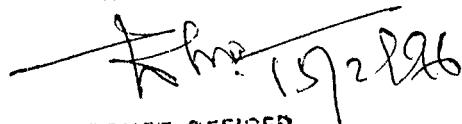
The interim order vacated consistently with above directions.



Sd/- VICE CHAIRMAN

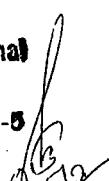
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प्रतिलिपि


(5) 2826

COUNT OFFICER

नियमित अधिकारी
Central Administrative Tribunal

प्रधान प्रशासनिक अधिकारी
Guwahati Bench, Guwahati-8
गুৱাহাটী ম্যানেজমেন্ট, গুৱাহাটী-৮

(B) 15/12

Annexure - 2.

To
The General Manager (P),
N. F. Rly. Maligaon,
Guwahati.

Sub:- Payment of gratuity and other retirement benefit such as transfer allowance.

Sir,

I have the honour to state that I retired from Railway Service on 30.4.94 as Electrical Chargeman/TL/GHY. but unfortunately, till date I haven't received any gratuity and other retirement benefit except provisional pension, & leave Salary and commutation of pension but gratuity not paid to me till date due to the reason best known to the department, I also not informed as to why my gratuity is withheld. Therefore, I pray that my gratuity be paid within 30 days, with 18% Interest per annum, & immediately. An early action is solicited. I approached the office on several occasion for gratuity money, but to no result. Now, my ill health does not permit to approach the office again and again. Please take necessary action immediately.

Yours faithfully,

Dated : 28.11.95. Sd/- Matilal Ghosh.

Sri Matilal Ghosh,
Ex. Electrical Chargeman/A/TL/GHY.

My Address - M. L. Ghosh,

C/O. Sri Upendra Lal Nath,
Rly. Quarter No. 120/A, B. G. Colony
P.O. Bamunimaidan, GHY. 21.