

**CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH, AHMEDABAD.**

**OA No.638/2016 with MA No.73/2018**

**Ahmedabad, this the 01<sup>st</sup> day of March, 2018**

Smt. Ushaben Sharma  
Wife of Late Shri Devkinandan Sharma  
Age about 65 years,  
Ex. TTE of the respondents.  
Residing at : Bhimgunj Mandi  
Nr. Vikram Hotel, Kota Junction,  
Kota - 324 002. .... Applicant

(By Advocate : Shri M.S. Trivedi)

**VERSUS**

1. The General Manager,  
Western Railway, H.Q.office,  
Churchgate, Mumbai 400 020.
2. The Divisional Railway Manager  
O/o. DRM, Western Railway,  
DivisionalOffice, RJT Division,  
Kothi Compound, Rajkot.
3. The Joint Director (Estt.) (S&W)  
Government of India  
Ministry of Railways, Railway Board,  
New Delhi 110 001..... Respondents

(By Advocate : Shri A.L.Sharma )

**ORDER – ORAL**

**Per : Hon'ble Shri J.V.Bhairavia, Member (J)**

Heard Shri M.S.Trivedi, learned counsel for the applicant and Shri A.L.Sharma, learned counsel for the respondents.

2. By way of the MA No.73/2018 in OA No.638/2016, the applicant has brought to the knowledge of this Tribunal that retirement dues of her late husband were withheld due to pendency of departmental proceedings. However, during the pendency of the said OA, the applicant had received a communication dated 29.12.2017 along with a copy of the Railway Board dated 06.12.2017 in which the Railway Board has taken the decision. The same is observed as under :

*“The President has considered the matter as brought by the Railway vide above refer letter dated 09.2.2017 and has decided that as on date, no penalty stands imposed on late Shri Devki Nandan Sharma, the Charged Pensioner, as the penalty order dated 16.05.2012 stood quashed by Hon'ble CAT/ Ahmedabad. All the dues accruing to the late Shri Devki Nandan Sharma, therefore be released”.*

3. At this juncture, learned counsel for the applicant Shri M.S.Trivedi submits that it is proper to direct the respondents to release all the retirement dues at the earliest.

4. On the otherhand, on behalf of the respondents, Shri A.L.Sharma submits that the decision of the Railway Board's dated 06.12.2017 will be implemented at the earliest.

5. In view of the above factual matrix and submission, the respondents are directed to release all pending retirement dues of late Shri Devki Nandan Sharma ( i.e. husband of the applicant) in favour of the applicant within four weeks from the date of receipt of a copy of this order. The respondents are further directed to consider the payment of admissible interest in accordance with the rules.

6. In view of the above direction, the OA as well as MA No.73/2018 stand disposed off. No order as to costs.

(J.V.Bhairavia)  
Member (J)

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