

ORAL

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD

(This the **01st Day** of **August**, 2018)

Hon'ble Mr. Justice Bharat Bhushan, Member (Judicial)
Hon'ble Mr. Mohd. Jamshed, Member (Administrative)

Original Application No.330/733/2018
(U/S 19, Administrative Tribunal Act, 1985)

Smt. Shabana Begum W/o Late Khursheed Alam, Diesel Lobby Farrukhabad.
R/o 83/178, Parampurwa Juhi, Police Chowki District – Kanpur Nagar.

..... **Applicant**

By Advocate: Shri Vinod Kumar

Versus

1. Union of India, through General Manager, North Eastern Railway, Gorakhpur.
2. Divisional Railway Manager (P), North Eastern Railway, Izzat Nagar, Bareilly.
3. Senior Divisional Finance Manager, North Eastern Railway, Izzat Nagar, Bareilly.

..... **Respondents**

By Advocate: Shri Pramod Kumar Rai

ORDER

Delivered by Hon'ble Mr. Justice Bharat Bhushan, Member (Judicial)

Shri Vinod Kumar, Advocate, is present for the applicant.

Shri Pramod Kumar Rai, Advocate is present for the respondents.

2. Present Original Application (hereinafter referred to as the 'OA') has been filed by the applicant under Section 19 of the Central Administrative Tribunals Act, 1985 for the following relief(s):-

"i. to issue an order or direction in the suitable nature directing the respondents to refund the recovered amount of damage rent Rs.9 Lakhs and Electricity charges rent Rs.5 Lakhs total 14 Lakhs along with market rate of interest within stipulated period.

ii. to issue any order or direction, which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

iii. to award the cost of the application to the applicant."

3. It appears that applicant, Smt. Shabana Begum wife of late Khursheed Alam, Diesel Lobby Farrukhabad, has filed this OA for releasing the withheld amount of Rs.9 Lacs as damage rent and Rs.5 Lacs as electric charges which was debited from the gratuity of the deceased employee. In this regard she has also moved representation (Annexure A-10) to the Department but her claim has not been adjudicated by the Department.

4. Considering all the facts and circumstances of the case, we feel that no useful purpose will be served by keeping this O.A. pending. Respondents can be asked to decide the case of the applicant in reasonable time. Accordingly, we hereby direct the applicant to move a detailed representation to the respondent No. 2/Competent Authority alleging all the grievances within two months from the date of receipt of certified copy of this order and Respondent No.2/Competent Authority is directed to decide the same in the light of prevailing rules by reasoned and speaking order within a period of four months from the receipt of

such representation and communicate the decision to the applicant in writing.

5. With the above direction the O.A. is finally disposed off at the admission stage itself. However, it is made clear that we have not expressed any opinion on the merits of the case.

6. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice Bharat Bhushan)
Member (J)

Sushil