

ORAL

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD

(This the **23rd Day of August**, 2018)

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

Original Application No.330/802/2018
(U/S 19, Administrative Tribunal Act, 1985)

Ram Aasharey Chauhan S/o late Shri Phool Chandra, R/o Gram- Kiratpur,
P.S. – Pindra, District – Varanasi – 221206.

..... **Applicant**

By Advocates: **Shri Vinod Kumar Srivastava**
Shri Sunil Kumar Katiyar

Versus

1. Union of India through G.M., Northern Railway, New Delhi.
2. Divisional Rail Manager (P), Northern Railway, Lucknow.

..... **Respondents**

By Advocate: **None**

ORDER

Shri Sunil Kumar Katiyar, Advocate is present for the applicant.

None present for the respondents.

2. This Original Application (in short 'OA') has been filed by the applicant under Section 19 of Administrative Tribunals Act, 1987 for the following relief(s):-

- i. to direct the Divisional Rail Manager (P), Northern Railway, Lucknow/Respondents No.2 to make the payment of (a) penal interest of 18% on delayed payment of the terminal benefits including pension for the period the payment was delayed (b) the salary of the applicant from January 2016 to August 2016 as per 7 CPC along with the penal interest of 18% on delayed payment (c) the PLB for the last 5 months (April 2016 to August 2016) along with penal interest of 18% on delayed payment.*
- ii. to direct the Divisional Rail Manager (P), Northern Railway, Lucknow/Respondent No.2 to decide the representation of the applicant (Annexure No. 4).*

iii. to pass any such other and further order or direction as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

iv Award the cost of the case. "

3. It appears that applicant was posted as posted as Parcel Porter under Station Manager, Northern Railway, Varanasi and retired on 31.08.2016 after attaining the age of superannuation. The grievance of the applicant is that terminal benefits were paid to him on 21.06.2017 but respondent No.2 is not paying interest on the delayed payment of terminal benefits. In this regard, he has also moved a representation on 01.07.2018 (Annexure A-4) to the respondent No.2 but the same is still pending.

4. Counsel for the applicant lastly submitted that grievance of the applicant might be redressed in case a direction is given to the respondent No.2/Competent Authority to decide the representation of the applicant dated 01.07.2018 (Annexure A-4) by reasoned and speaking order within a stipulated period of time.

4. In view of the aforesaid limited prayer made by counsel for the applicant but without commenting anything on merits of the case, the instant Original Application is disposed off with the direction to the respondent No.2 (Divisional Rail Manager (P), Northern Railway, Lucknow)/ Competent Authority to decide the representation of the applicant dated 01.07.2018 (Annexure A-4) by a reasoned and speaking order within a period of three months from the date of

receipt of certified copy of this order and communicate the decision so taken by the respondents to the applicant in writing. No costs.

(Justice Bharat Bhushan)
Member (Judicial)

Sushil