

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 448/2014  
M.A. No. 3263/2017

New Delhi, this the 9<sup>th</sup> day of January, 2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)**  
**HON'BLE MS. NITA CHOWDHURY, MEMBER (A)**

Vijay Kumar Verma,  
S/o Shri Radhey Shyam,  
R/o Flat No.122, Plot No.63,  
Shivani Apartment, I.P. Extension,  
Patparganj, Delhi-110092.

.. Applicant

(By Advocate : Shri Praveen Chaturvedi with Ms. Jyoti Chaturvedi  
and Ms. Addya Mishra)

Versus

1. Union of India,  
Ministry of Railways,  
Through its Secretary,  
Railway Board,  
Rail Bhawan,  
New Delhi.

2. General Manager,  
North Central Railway,  
Headquarter, Subedar Ganj,  
Allahabad, U.P.

3. Divisional Railway Manager (Personnel),  
DRM Office,  
Agra Cantt. Railway Station,  
Agra, U.P.

.. Respondents

(By Advocate : Shri Satpal Singh)

**ORDER (ORAL)****By Mr. V. Ajay Kumar, Member (J)**

Heard both the sides.

2. The applicant, who was originally working as MVI in the respondent – Railways and later joined with the Delhi Metro Rail Corporation Ltd. (in short, DMRC Ltd.), on deputation, on 07.12.2004 and finally his technical resignation was accepted by the respondent - Railways w.e.f. 31.05.2011, filed the instant O.A. seeking the following relief(s):

- “(a) This Hon’ble Tribunal may graciously be pleased to allow the OA and direct the respondents to release the withheld dues as prayed in (Annexure A/1 & A/2 respectively) made by the applicant, and;
- (b) This Hon’ble Tribunal may graciously be pleased to allow the OA and direct the respondents to release the withheld dues with interest @ 18% per annum and;
- (c) Pass any other order(s) as this Hon’ble Tribunal may deem fit and proper in the instant facts and circumstances of the instant case.”

3. Admittedly, the applicant started working with the DMRC Ltd. w.e.f. 07.12.2004 on deputation and, finally, his services were absorbed in the said DMRC Ltd. on acceptance of his technical resignation by the respondent - Railways. Though the learned counsel for the applicant at the time of hearing of the O.A. submits that his contributions made upto 07.12.2004 were not settled by

the respondent – North Central Railway but no such specific claim was made in the O.A. or through any of his representations clearly.

4. In the circumstances, we do not find any merit in the O.A. and, accordingly, the same is dismissed. However, this order shall not bar the applicant from making an appropriate representation to the respondent – North Central Railway within two weeks from the date of receipt of a copy of this order with regard to any of his unsettled dues for his services till 07.12.2004 and on receipt of such a representation within the said time, the respondents shall consider the same and pass appropriate speaking and reasoned orders, in accordance with law, within 60 days therefrom.

5. Pending MA No.3263/2017 also stands disposed of. No costs.

**(NITA CHOWDHURY)**  
**Member (A)**

**(V. AJAY KUMAR)**  
**Member (J)**

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