

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA 2211/2013

the 14th day of September, 2015.

Hon'ble Mr. Justice Syed Rafat Alam, Chairman
Hon'ble Mr. P.K.Basu, Member (A)

Shri Abhishek Shaw
Age-26 years
S/o Shri Arun Kumar Shaw
R/o House No.B1/35
Kh. No.43/16, Near S.V.School
Nangli Vihar, Baprola,
New Delhi – 110 043
(Working as Assistant Manager (Civil)
Delhi Metro Rail Corporation Ltd.
Metro Bhawan, Barakhamba Road
Fire Brigade Lane,
New Delhi – 110 001
(By Advocate: Shri Amit Sinha for Shri A.S.Singh) Applicant

VERSUS

Delhi Metro Rail Corporation Ltd.
Metro Bhawan, Barakhamba Road
Fire Brigade Lane, New Delhi – 110 001
(Through: its Managing Director
(By Advocate: Shri V.S.R.Krishna) Respondent

Order (Oral)

By Hon'ble Mr.Justice Syed Rafat Alam, Chairman

In the instant application, the short grievance of the applicant is that after his selection to the post of Assistant Director, Central Water Commission under the Ministry of Water Resources, his request for transmission of bond of Rs.5,00,000/- with the respondents i.e. Delhi Metro Rail Corporation Ltd. has been declined by the impugned order dated 04.02.2013.

2. We have heard the matter to some extent. However, Shri V.S.R.Krishna, learned counsel for the respondents stated that now the respondents have taken a policy decision to transmit such bonds of the employees who joined other departments to their new respective departments pursuant to which an Office Order No.DMRC/PERS/14/2015 dated 28.08.2015 has also been issued, a copy of whereof is produced for our perusal. In view of above statement, the learned counsel for the applicant fairly stated that the cause of action now no more survives.

3. Shri V.S.R.Krishna, counsel for the respondents also submitted that the respondents will not now insist on implementation of impugned order dated 04.02.2013 and shall transmit the bond of the applicant to the new employer, noted above.

4. At this stage, counsel for the applicant, however, pointed out that though the applicant has been relieved by the respondents to join the new department but his amount of leave encashment and a sum of Rs.3110/- which was deducted from his salary, has not been refunded.

5. Shri V.S.R.Krishna, counsel for the respondents fairly stated that if any dues are available, it would be open to the applicant to give proper representation and, in the event such representation is filed, the same would be examined by them and dues, if any, shall be paid at the earliest.

6. In view of the aforesaid statement made on behalf of the respondent, it is provided that in the event the applicant makes an application for the amount of leave encashment payable to him and the sum deducted from his salary, the same would be examined and appropriate decision be taken by the respondent within two months from the date of filing of such application. In the event it is found that nothing is payable to the applicant, the

respondent shall record reasons and communicate the same to him within the aforesaid period.

With the above order, this application stands disposed of.

(P.K.Basu)
Member (A)

(Syed Rafat Alam)
Chairman

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