

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/00763/2016

Date of Order: 23.05.2016.

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member

Raghunath Manjhi
Vs.
Union of India & Ors. (E. Rly)

For the Applicant : Mr. C. Sinha, Counsel

For the Respondents : Mr. AK Guha, Counsel

O R D E R (Oral)

This matter is taken up in Single Bench in terms of Appendix VIII of Rule 154 of CAT Rules of Practice, as no complicated question of law is involved, and with the consent of both sides.

2. Heard both.

3. It is noticed that the representation dated 20.11.2015 has been preferred by the applicant before the General Manager, Eastern Railway, Kolkata for releasing of withheld gratuity, commutation and other settlement dues which is pending since 20.11.2015 without disposal. The applicant prayed for consideration in the light of the decision rendered by this Tribunal in OA. 350/00920/2014 and the judgment of the Hon'ble High Court in W.P.C.T.165 of 2013.

4. The learned counsel for applicant submits that he shall be satisfied if a direction is given to the respondents to consider the pending representation in the light of the said judgments.

5. Learned counsel for respondents however, seeks liberty to file reply in the matter.


6. Learned counsel for applicant further submits that the order passed in OA. 350/00920/2014 has been complied with by the respondents ^{vide} of the office order dated 02.11.2015.

7. In my considered opinion, since the representation has been preferred and the same is pending for the last 6 months without disposal, as no fruitful purpose would be served by asking a reply in the matter unless the matter is considered by the respondents themselves, ^{and Bidisha Banerjee, J.P.} let appropriate order be passed in accordance with law. Therefore, the OA is disposed of with a direction upon the respondent no. 1 or any other competent authority to consider the representation in the light of the cited judgments and pass appropriate order within 3 months.

8. In case there is no impediment to release the benefit, the same be released within one month thereafter.

9. It is made clear that I have not expressed any opinion on merits of this matter. All points are kept open for consideration by the respondent authorities.

10. OA is accordingly disposed of. No costs.


(Bidisha Banerjee)
Member (J)

pd