



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH, KOLKATA

O. A. NO. 1447 OF 2017

In the matter of :

An application under Section 19 of the
Administrative Tribunals Act, 1985;

And

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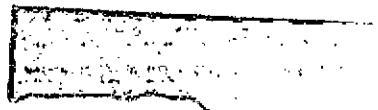
Sri Rabin Chandra Ghorai, residing
at Madhabpur, P.O. Mohisrekha P.S
Uluberia Dist Howrah Pin 711303

... Applicant

- Versus -

1. Union of India, service through
the General Manager, South Eastern
Railway, 11, Garden Reach, Kolkata-
700043.

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2. The General Manager, South Eastern Railway, 11, Garden Reach, Kolkata-700043.

3. The Divisional Railway Manager (Finance), South Eastern Railway, Kharagpur, Post Office - Kharagpur, District- Paschim Medinipur, Pin-721301;

4. Sr. Divisional Personnel Officer, South Eastern Railway, Kharagpur, Post Office -Kharagpur, District- Paschim Medinipur, Pin-721301;

5. The Assistant Personnel Officer, South Eastern Railway, Santragachi Station Building, Post Office - Jagacha, District - Howrah, Pin-711111.



... Respondents

No. O.A. 350/01447/2017

Date of order: 9.1.2018

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member

For the Applicant : Mr. S.K. Bhowmik, Counsel

For the Respondents : None

O R D E R (Oral)

A.K. Patnaik, Judicial Member:

Heard Mr. S.K. Bhowmik, Ld. Counsel for the applicant.

2. This Original Application has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 seeking the following relief:-

- "(i) An order for direction do issue directing the respondent to rectify the applicant's designation as Chief Ticket Inspector instead of Deputy Chief Ticket Inspector.
- (ii) An order or directions do issue directing the respondents to pay interest as admissible in all delayed payment under the rule as per Memo No. F(E)III/79/PN-1/15 dated 15.4.91 issued by the Railway Board and CPO/GRC Estt. Srl. No. 101/91.
- (iii) To pass any order or further order/orders as to the Hon'ble Tribunal may seem fit and proper."

3. As prayed for by Mr. S.K. Bhowmik, Ld. Counsel for the applicant, the applicant was appointed in South Eastern Railway on 12.1.1984. He retired from service as Chief Ticket Inspector under Sr. Divisional Commercial Manager, Kharagpur on 30.6.2016. At the time of preparing his PPO book and medical card his designation was recorded wrongly as Deputy Chief Ticket Inspector instead of Chief Ticket Inspector. For rectification of the said mistake he approached the APO (Bill)/SRC and other official several times but he could not correct his designation. As per guidelines of the Railway Board vide letter No. F(E)III 79/PN-1/15 dated 15.4.1991 payment

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of gratuity has to be released within three month of superannuation of an employee. If such gratuity is withheld after the said three months interest beyond the said period of three months is permissible. The DCRG amount of Rs. 8, 37,287/- has been paid to the applicant after about a period of one month. As per Railway Board's Order he is entitled to get interest @ 8% p.a. from 1.7.2016 till the date of his payment of DCRG. He also claims payment of his retiral benefits in terms of 7th CPC. He preferred several appeals before the Railway Authority which is still pending consideration.

4. Mr.Bhowmik, Ld. Counsel fairly submits that though a comprehensive representation was submitted by the applicant to respondent No. 3 and 4 on 21.6.2017 but till date no response has been received from the said respondents and, therefore, the said respondents may be directed to consider the representation dated 21.6.2017 and take necessary measures for extending the benefits to the applicant.

5. I do not think it would be prejudical to either of the side, if such an order is passed and accordingly I dispose it of without entering into the merits of the case by directing the respondent Nos. 3 and 4 to consider the representation dated 21.6.2017, if it is filed and is still pending consideration within a period of six weeks from the date of receipt of such representation. After such consideration, if the applicant's grievance is found to be genuine then expeditious steps may be taken to extend those benefits to the applicant along with other consequential benefits as claimed by him within a further period of six weeks from the date of such consideration.

6. With the aforesaid observation and direction, this O.A. stands disposed of.

7. As prayed for by Mr. S.K. Bhowmik, Ld. Counsel a copy of this order

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along with paper book be transmitted to the respondent Nos. 3 & 4 by speed post for which Mr. Bhowmik undertakes to deposit necessary cost in the Registry by this Friday.

(A.K. Patnaik)
Judicial Member

SP

