



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

OA. 350/00452/2016

Date of Order: 24.06.2016

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

Nishikanta Sen
Vs.
E. Rly.

For the Applicant : None

For the Respondents : Mr. AK Banerjee, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:-

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 Id. counsel for respondents.

2. Heard Id. counsel for respondents.

3. This application has been filed seeking the following reliefs:

"8(a) An order be passed directing the respondents to pay the Dearness Allowance to the applicant;

(b) An order be passed directing the respondents to pay the transportation charges which are included in basic salary to the applicants;

(c) An order be passed directing the respondents to give technician grade- I benefit to the applicant;

(d) An order be passed directing the respondents to issue first-class pass in Indian Railway to the applicant for self and spouse;

(e) An order be passed directing the respondents to give grade-I promotional benefit to the applicants;

(f) An order be passed directing the respondents to pay proportionate fixation in basic salary as regards grade pay to the applicants;

(g) An order be passed directing the respondents to pay leave encashment to the applicants;

(h) An order be passed directing the respondents to pay remaining 50% gratuity to the applicant;

(i) An order be passed directing the respondents to give promotional benefits to the applicants which were denied since the date of applicant's suspension;

(j) An order be passed directing the respondents to issue pension booklet to the applicant containing the pecuniary and terminal benefits in figures;

(k) An order be passed directing the respondents to issue/provide service book to the applicant containing the calculations of petitioner's mandatory entitlement;

(l) An order be passed directing the respondents to pay security deposit of Rs. 22,000/- to the applicant for the purpose of usage of electricity in his official quarter;

(m) An order be passed directing the respondents to decide and/or to dispose of the claim/representation/demand justice of the applicant within a certain time after hearing the applicant;

(n) To pass such other or further, order or orders, as your Honour may deem fit and proper;

4. It was submitted by the learned counsel for respondents upon instruction from

Shri Dilip Bhattacharyya, OS-I/DRM/HWH, present at the bar, that the applicant was suspended since he was criminally charged and a major penalty charge sheet was issued to him. However, the criminal case as well as major penalty charge sheets were withdrawn.

5. On behalf of the applicant, learned counsel Shri Subhash Chandra Pal on 08.12.2015 send legal notice to the DRM, Eastern Railway, Howrah, asking for the settlement dues of the employee as are covered by the relief claimed for in the present OA.

6. In my considered opinion, the learned counsel for applicant having not turned up and as no fruitful purpose would be served by asking for a reply unless the claim of the applicant, as put forth in the OA as well as by his counsel, is considered by the respondents themselves and a suitable decision is taken on the same.

7. Therefore, in the interest of justice, while Rule 15 (1) of CAT (Procedure) Rules is invoked, the OA is disposed of with a direction upon the respondents to act in accordance with law to disburse all payable dues of the applicant within a period of 3 months from the communication of this order, with arrears and statutory interest as he would be entitled to in accordance with law. However, monthly payments of pension should be started immediately.

8. Respondents may also give a personal hearing to the applicant, if required.

RS

9. It is made clear that I have not gone into the merits of this matter and therefore all points are kept open for consideration by the respondents' authorities.
10. The OA is accordingly stands disposed of. No costs.

(Bidisha Banerjee)
Member (J)

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