

Central Administrative Tribunal
Patna Bench, Patna.
[Circuit Bench at Ranchi]

O.A 51/49/2019

Date of Order:- 10.01.2019

C O R A M

Hon'ble Shri J. V. Bhairava, Member [J]
Hon'ble Shri Dinesh Sharma, Member [A]

1. Cladius Bara, aged 60+ years s/o Willim Bara resident of Kusum Vihar Road No.7 P.O.-Morabadi District- Ranchi.
.....Applicant

By Advocate : Shri M.A. Khan
Vs.

1. Union of India through General Manager, South Eastern Railway, Garden Reach, Kolkata-43 and another.
..... Respondents.

By Advocate : Shri Prabhat Kumar

O R D E R (ORAL)

Per J.V. Bairavia, M [J] :- In the instant O.A. I/c for applicant submits that applicant retired on 30.04.2018 and he has been paid all retiral dues except amount of gratuity (Rs.10,11,659/-). The I/c for applicant has further submitted that there is no disciplinary proceeding or any dues is pending against him. He further contended that the applicant had already vacated the quarter in time and a certificate in this regard has been issued to him. The applicant has already filed

the required relevant documents and completed all the formalities to receive the retirement dues. However, without any reason, the amount of gratuity has been withheld by the respondents therefore he submitted his representation on 01.07.2018 (Annexure A/5) before the Senior Divisional Personnel Officer, S.C. Railway, Ranchi and requested to release the amount of gratuity. However, till date, respondents have not released the same. The I/c for applicant submits that he is ready and willing to file another representation if any required by the respondents.

2. On the other hand, I/c for respondents submits that the applicant has retired from the post of Goods Supervisor of the Commercial Department and as per the existing rules the respondents are duty bound to verify and to complete certain formalities of the said employee who retires from the commercial department and that may be reason for non-grant/payment of the gratuity amount. However, he further submitted that the claim of the applicant will be considered by the respondents expeditiously and if any delay occurs, the applicant will be paid interest as per rules.

3. Considering the above submissions and on examination of material on records, we are of the considered opinion that the claim of the applicant needs to be reexamined by the respondents. Hence, the applicant is granted liberty to file additional representation before the competent authority within 15 days from today. On receipt of the same, the respondents are directed to consider it and take appropriate decision for releasing of withheld amount of gratuity including admissible interest within 60 days from the date of receipt of copy of representation of applicant.

4. In view of the above, the O.A stands disposed of with no order as to costs.

[Dinesh Sharma] M [A]

[Jayesh V. Bhairavia] M [J]

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10.01.2019

Shri M.A. Khan, I/c for applicant

Shri Prabhat Kumar, I/c for respondents.

O.A has been disposed of with direction to respondents. Order has been typed in separate sheets.

[Dinesh Sharma] M [A]

[Jayesh V. Bhairavia] M [J]

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