

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00711/2019
Chandigarh, this the 16th day of July, 2019

...
CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. A.K. BISHNOI, MEMBER (A)

Bhupinder Singh, age 62 years son of Sh. Kartar Singh Ex. ADSO resident of House No. 55, Jawahar Nagar, Jagadhri Workshop, District Yamuna Nagar (Additional Divisional Security Officer – Group B) Pin – 135003.

....Applicant

(Present: Mr. Vijay Partap Singh, Advocate for Mr. Nonish Kumar, Advocate)

Versus

1. Union of India through Ministry of Railway, Rail Bhawan, Connaught Place, New Delhi – 110001.
2. Secretary Railway Board, New Delhi Pin – 110001.
3. General Manager Railway, Northern Railway, New Delhi – 110001.
4. Divisional Rail Manager, Delhi Division, New Delhi – 110006.
5. Divisional Rail Manager, Ambala Division, Ambala – 133001.

..... Respondents

(Present: Mr. Lakhinder Bir Singh, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. This O.A. has been filed by the applicant seeking issuance of a direction to the respondents to release his retiral benefits.
2. Learned counsel submitted that the applicant retired from service on superannuation w.e.f. 31.05.2017, but his retiral dues have not been released till date, and also no order with regard to withholding of his benefits has been passed. He relied upon a judgment passed by the Hon'ble High Court in the case of

Charanjit Singh Vs. State of Punjab and etc. (CWP NO.

3985/2016 (O&M) dated 23.08.2017 wherein it has been held that reitral dues become entitled to an employee on the day he retires, if there is nothing against him at the time of retirement, and if release of benefits is delayed he would be entitled to interest thereon.

3. Learned counsel submitted that the applicant filed representations 09.07.2018 and 21.08.2018 (Annexures A-5 and A-6), followed by a legal notice dated 08.01.2019 (Annexure A-7), but the same have not been answered till date. He suffered a statement that the applicant would be satisfied if a direction is issued to the respondents to consider and decide his claim for release of reitral benefits by passing a reasoned and speaking order within a time-frame.

4. Issue notice to the respondents.

5. At this stage, Mr. Lakhinder Bir Singh, Advocate, appears and accepts notice. He does not object to the disposal of the O.A. in the above manner. He prays for grant of three months to consider and decide the representations and legal notice of the applicant in accordance with law.

6. In the wake of above, the O.A. is disposed of with a direction to the respondents to consider and decide the indicated representations/legal notice in accordance with law, by passing a reasoned and speaking order, within a period of three months from the date of receipt of a copy of this order. A copy thereof be duly supplied to the applicant.

7. Needless to mention that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case.
No costs.

(A.K. BISHNOI)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 16.07.2019

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