

Open Court
**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the 10th day of October, 2019

Present:

Hon'ble Mr.Justice Bharat Bhushan, Member-J

Original Application No.330/01294/2015
(U/S 19, Administrative Tribunal Act, 1985)

Kashiram Ex-Catering Inspector, East Central Railway, Mughalsarai Division, Mughalsarai S/o late Shvdas Ram R/o Village Roopaspur, Police Station Buniyadganj, Post Office Alipur, District Gaya-Bihar.

.....Applicant.

By Advocate – Shri V.R. Dwivedi.

V E R S U S

1. The General Manager, East Central Railway, Hajipur (Bihar), representing Union of India.
2. The Chief Commercial Manager; East Central Railway Mughalsarai Division; Mughalsarai.
3. The Divisional Commercial Manager, East Central Railway; Mughalsarai Division; Mughalsarai.

.....Respondents.

By Advocates : Shri N.C. Srivastava.

O R D E R

List revised. None present for the applicant. Shri N.C. Srivastava, Advocate for the respondents is present.

2. Neither the applicant nor his counsel were present even on the last occasion. Shri N.C. Srivastava, Advocate for the respondents has filed an affidavit on 24.07.2019 indicating that all remaining payment had been made to

the applicant. Relevant portion of an affidavit dated 24.07.2019 is reproduced as below:-

“5. That in this regard it is submitted that after retirement following retiral dues have been paid to the applicant:

| | |
|-------------------------------|---------------------|
| 1. Gratuity (DCRG) | Rs. 66,560/- |
| 2. Leave encashment | Rs. 42,680/- |
| 3. Pension commutation | Rs. 42,300/- |
| 4. G.I.S. | Rs. 7462/- |
| 5. RA &PA | Rs. 2025/- |

Total sum of Rs. 1,61,027/- has been paid to the applicant from Railway A/c Co7 No. on 28.10.1996.

Beside above mentioned retrial benefits sum of Rs. 35,605/- have also been paid to the applicant as provident fund from Railway A/c Co7 No. 080034 on 25.10.1996.

6. That it is also pertinent to mention here that under the Vth pay commission difference of bills have also been paid to the applicant, which are as under:

| | |
|---|-----------------------|
| 1. Difference of DGRC | Rs. 48012/- |
| 2. Difference of pension commutation | Rs. 1,22,884/- |
| 3. Difference of leave encashment | Rs. 13064/- |
| 4. Difference of Vth pay arrear | Rs. 11,924/- |
| 5. Commercial debit revised vide pay | Rs. 19563/- |

Order N-B- 651780 & B-651786

from Railway A/c Co7 No. 101360

7. That entire benefits of the applicant has been paid by the Railway and nothing left remaining to be paid to the applicant. Therefore, applicant is not entitled to any amount of Rs. 30,897/- w.e.f. 31.06.1996. In this regard a photo copy of the payment in respect of the applicant are detailed is annexed herewith and marked as Annexure-No.1 to this affidavit.”

3. This affidavit indicates that all grievances of applicant have been redressed. Nothing contrary has been recorded by the applicant or his counsel. In view

of averments made in the affidavit filed by the respondents, the OA is dismissed for having become infructuous.

(Justice Bharat Bhushan)
Member (J)

/SS/