

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No. 2782/2017

New Delhi this the 30th day of October, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)

Smt. Sumarti Devi, Aged 70 years,
Group 'D',
Sub: Release of Dues/Pension
Dept. Northern Railway,
W/o late Sh. Om Prakash,
R/o M-30, Shakurpur,
JJ Colony, Delhi-110034

- Applicant

(None)

Versus

1. The Union of India
Through General Manager,
Northern Railway,
Baroda House, New Delhi-110001
 2. The Chief Store Controller,
Northern Railway,
Baroda House,
New Delhi-110001
 3. The Dy. Chief Store Controller,
Northern Railway,
Shakur Basti,
Delhi-110034
 4. The Accounts Officer,
O/o FA & CAO (Pension)
Northern Railway,
Baroda House,
New Delhi-110001
- Respondents

(By Advocate: Mr. Satpal Singh)

ORDER (ORAL)

The applicant has filed the present OA, seeking the following reliefs:-

- “(i) Quash/set aside the impugned orders dated 30.03.2017 and 10.07.2017 passed by respondent no.3 in the interest of justice.
- (ii) Direct the respondents to release the dues/pension/arrears of pension along with 12% interest from the due date in favour of the applicant as per her share.
- (iii) Cost of the application may also award in favour of the applicant.
- (iv) Any other relief which this Hon’ble Tribunal deems fit and proper in the facts and circumstances of the case.”

2. It is noticed that since 10.09.2018, this matter had been adjourned either on the request of proxy counsel for the applicant or because of non-appearance of the applicant. Today also, nobody appears for the applicant even in the revised call. Hence, we are constrained to proceed with the matter under Rule 15 of the CAT Procedure Rules, 1987.

3. On 23.09.2019, when the matter was taken up for hearing, counsel for the respondents had stated that they have paid the amounts due to the applicant and the counsel for the applicant undertook to file the details of the amount paid to the applicant within one week positively.

They were also directed to give the copy of the same to the applicant who was also directed to respond to the same. Again on 11.10.2019, it was noted that the applicant had undertaken to file the details of the amounts paid to her but had not done so. The respondents, in the meanwhile, have filed the details of the payments made to the applicant through their short affidavit and according to which the respondent department has released the share of the applicant, i.e., to the extent of 1/8 of DCRG of Rs.11927/- (Total DCRG is Rs.95416/-) vide COS-6 No.03010919000648 dated 17.09.2019 and COS-7 No.03030919700053 dated 17.09.2019 and have also enclosed therewith the statement of the bank at Annexure R-1(colly), giving details of the pension paid, total earning/deductions, arrears thereto etc..

4. We also note from the file that no rejoinder has been filed in this matter and on the previous date, i.e., 23.09.2019, the applicant had undertaken to file the details of the amounts paid to her so that it could be ascertained whether any amount is still to be paid. In view of not having received any information/response from her, we are unable to come to a definitive conclusion as to whether there was any delay in the release of the pension/arrears of the pension.

5. Hence, if the applicant wants to give any details of the said delay and the date from which the same is alleged, she may prefer the representation containing all the relevant details to the respondents within a period of 30 days of receipt of a copy of this order. In case such a representation is made by the applicant, the respondents shall pass a detailed and speaking order thereon within a period of 90 days of receipt of such a representation. As per the rules on the subject, if any delay has occurred, they shall pay, if so required, the interest at the rate applicable to GPF deposits for the said period of delay.

6. With the above directions, the OA stands disposed off.

(Nita Chowdhury)
Member (A)

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