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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7738/2018 & CM APPL. 29650/2018 -Stay.
CM APPL. 46697/2019 -Vac. of stay.

GENERAL MANAGER NORTHERN RAILWAYS & ORS

..... Petitioners

Through: Mr. Ajay Kumar Pandey, Sr. Panel
Counsel along with Mr. Rajat
Choudhary, Advocate.

versus

MOHD SALIM KHAN

..... Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

13.03.2024

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1. The present writ petition under Article 226 and 227 of the Constitution of India seeks to assail the order dated 16.02.2018 passed by the learned Central Administrative Tribunal in O.A.998/2016. The petitioners also assail the order dated 28.05.2018 passed in Review Application No. 80/2018. Vide the impugned order dated 16.02.2018, the original application filed by the respondent was partly allowed by the learned Tribunal by directing the petitioners to pay to the respondent the differential amount towards his retiral benefits including leave encashment after verifying his leave account.
2. Learned counsel for the petitioners submits that in terms of the order



dated 02.12.2019 passed by this Court, the respondent had visited the office of the petitioners at Ambala Cantt, Haryana, on 16.12.2019, and had duly verified his leave account whereafter all his dues have been released to him.

3. The record shows that neither anyone has been appearing on behalf of the respondent after 02.12.2019 nor any affidavit as directed by this Court has been filed by the respondent. In these circumstances, we have no reason to doubt the statement made by the learned counsel for the petitioners that the accounts of the respondent in terms of the impugned order have been settled.

4. In the light of the aforesaid, once the petitioners have complied with the impugned order, nothing further survives for adjudication in the present petition. The amount deposited by the petitioners with the Registrar General in terms of order dated 28.05.2019 be refunded to the petitioners along with upto date interest thereon.

5. The writ petition is, accordingly, disposed of as infructuous.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

MARCH 13, 2024/ib