

**Central Administrative Tribunal
Madras Bench**

OA 310/00121/2020

Dated Monday the 27th day of January Two Thousand Twenty

P R E S E N T

**Hon'ble Shri. P. Madhavan, Member (J)
&
Hon'ble Shri. T. Jacob, Member (A)**

G.Subramani,
Rtd. Tech Grade I,
SSE/Works/MPK/MAS Division/Southern Railway,
No.3/40, Kakkan Street,
Sathyamurthy Nagar,
Agaram Main Road,
Selaipur, Chennai – 600 126.

...Applicant

By Advocate M/s. Ratio Legis

Vs

Union of India rep. By
The General Manager,
Southern Railway,
Park Town, Chennai – 3.

The Senior Divisional Personnel Officer,
Chennai Division, Southern Railway,
NGO Annexe, Park Town,
Chennai – 600 003.

....Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER

Pronounced by Hon'ble Mr. P. Madhavan, Member(J)

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“To call for the records related to the service register of the applicant and the latest representation dated 11.11.2018 and to direct the respondents to reckon with the casual labour service from 14.10.1976 till 31.12.1981, temporary status period from 01.01.1982 till 29.10.1983 as per rules for the purpose of payment of gratuity and thereby to pay all the consequential arrears with admissible interest and to pass such other order/orders as this Hon'ble Tribunal may deem fit and proper and thus to render justice.”

2. When the matter came up for consideration, learned counsel for the applicant submits that the applicant was appointed as Casual Labourer and conferred with temporary status w.e.f. 01.01.1982 and regularised on 29.10.1983. The respondents while arranging retirement benefits pension qualifying service was assessed to be commencing from 29.10.1983 and retirement benefits were calculated on that basis and his casual labour service preceding the date of conferment of temporary status was not taken into consideration against the Railway Board instructions. In this regard, the applicant made representation produced as Annexure A5 dated 11.11.2018 which is still pending with the respondents for consideration. Learned counsel for the applicant submits that the applicant will be satisfied if his representation is disposed of by passing a speaking order within a time limit stipulated by this Tribunal.

3. Mr. P. Srinivasan takes notice for the respondents and submits that he has no objections in disposing of the representation pending before the competent authority.
4. **In view of the limited submission made and without going into the substantive merits of the case, the competent authority is directed to consider Annexure A5 representation of the applicant dated 11.11.2018 in accordance with law and pass a reasoned and speaking order within a period of four months from the date of receipt of copy of this order.**
5. OA is disposed of at the admission stage.

(T. Jacob)
Member(A)
AS

27.01.2020

(P. Madhavan)
Member (J)