

**Central Administrative Tribunal
Madras Bench**

OA 310/00013/2020

Dated Friday the 3rd 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)**

K. Vijayakumar,
Black Smith Gr. II,
Now working under
SSE/PWAY/WST/Chennai division
S.Rly.Applicant

By Advocate M/s. Ratio Legis

Vs

1.Union of India rep by,
The Chairman,
Railway Board, New Room No. 256-A,
Rail Bhavan, Raisina Road,
New Delhi, Delhi 110001.

2.The General Manager,
Southern Railway,
Park Town, Chennai 600003.

3.The Divisional Railway Manager,
Chennai Division,
NGO Annex,
Southern Railway,
Park Town, Chennai 600003.

....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 process of recruitment of the applicant followed by posting and to direct the respondents to enroll the applicant to the Old Pension Scheme for the purpose of retirement benefits to the applicant 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 subjected to a process for appointment under compassionate ground based on the vacancies available in the year 2003 prior to the notification of the New Pension Scheme. But the applicant was issued posting order only in the year 2004 and he is enrolled under the new pension scheme. In this regard, the applicant had given representation to the respondents produced as Annexure A3 dt. 17.04.2019 which is still pending with the respondents for consideration. He 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 A3 representation of the applicant dated 17.04.2019 in accordance with law and pass a reasoned and speaking order within a period of six 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

03.01.2020

(P. Madhavan)
Member (J)