

Central Administrative Tribunal Madras Bench

OA 310/00074/2020

Dated Tuesday the 21st 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)**

M.Selvaraj,
S/o.Munippalan,
Ambedkar Nagar,
Pagasali Village & Post,
Thiruthani Taluk,
Thiruvellore District 631 210

... Applicant

By Advocate M/s S.Shinu

Vs

1. Union of India, Rep., by
General Manager,
Southern Railway,
Park Town,
Chennai 600 003.

2. The Senior Divisional Personnel Officer,
Chennai Division, Southern Railway,
Park Town, Chennai 600 003.

3. The Divisional Finance Manager,
O/o. the Divisional Railway Manager,
Southern Railway, 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 entire records relating to the service of the applicant with the PPO No.0602241273 and service certificate from the respondents and direct them to revise the pension of the applicant taking into account the total period of service spent on temporary capacity followed by regularization and eventually appointed substantially as a permanent employee in the Southern Railway and 50% of the period of service spent on casual labour as qualifying service of the applicant for the purpose of pension and other attendant benefits and pass such further or other orders as this Hon'ble Tribunal may be pleased to deem fit and proper in the circumstances of the case and thus render justice.”

2. When the matter came up for consideration, learned counsel for the applicant submits that the applicant was initially engaged as Casual Labourer Khalasi in the respondent department and he was granted Temporary Status w.e.f. 01.01.1984 and further he was regularised w.e.f. 19.12.1987. The grievance of the applicant is that the respondents have not considered the 50% of the period of service rendered as Casual Labour and full period of service rendered under Temporary capacity till the period of regularisation as qualifying service for the purpose of pensionary benefits in terms of Rule 20 and 31 of the Railway Services (Pension) Rules, 1993 along with Para 20 of the Master Circular No. 54 of 1994 and Para 2005 of the IREM, Vol-II.

3. In this regard, the applicant had given representation to the respondents produced as Annexure A3 dt. 11.03.2017 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.

4. 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.

5. **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 11.03.2017 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.**

6. OA is disposed of at the admission stage.

(T. Jacob)
Member(A)
AS

21.01.2020

(P. Madhavan)
Member (J)