

**Central Administrative Tribunal
Madras Bench**

MA 310/00012/2020 & OA 310/00029/2020

Dated Wednesday the 8th 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)**

1. P. Nageswaran
Tech Grade I, (Retd)
Electrical/MAS
Southern Railway
Chennai – 600 003.

2. R. Harisubramanian
A.C. Helper
S.S.E.A/C/MAS
Southern Railway
Chennai – 600 003.

3. S. Sagayaraj
S.B.C./VRR/MAS
Southern Railway
Chennai – 600 003.

....Applicants

By Advocate M/s. J. Muthukumaran

Vs

1. Union of India
Rep. By its General Manager
Southern Railway
Chennai – 600 023.

2. The Chief Personnel Officer
Southern Railway
Chennai – 600 003.

3. The Financial Adviser and
Chief Accounts Officer
Southern Railway
Chennai – 600 003.

....Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER

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

MA 12/2020 filed for joining the applicants together and filing single OA is allowed.

2. The applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“To direct the respondents to count the 50% of past services rendered by the applicants in their respective initial appointment in Catering Establishment along with their Regular Railway service respectively till their retirement to reckon the total qualifying service for the purpose of pensionary benefits and other benefits and pass such other order or direction as deemed fit and proper in the circumstances of the case”

3. When the matter came up for consideration, learned counsel for the applicants submit that the applicants were initially appointed as Commission Bearers in the Southern Railway Catering Establishment and thereafter they were regularly absorbed as Railway Employees from 1983 onwards as per the scheme framed in view of the directions of the Hon'ble Apex Court. The grievance of the applicants is that their past services as Commission Bearers and Salaried Bearers ranging from 10 to 21 years have not been taken into account for the purpose of pension. He would further submit that this matter is squarely covered by the decision of this Tribunal in OA 1529/2015 dated 20.08.2019. Learned counsel for the applicants submit that the applicants will be satisfied if they are permitted to give a fresh representation to the respondents and the competent authority is

directed to dispose of the said representation within a time limit stipulated by this Tribunal.

4. Mr. P. Srinivasan takes notice for the respondents and submits that the applicants have approached this Tribunal without giving any representation to the respondents. He further submits that he has no objections in disposing of the fresh representation to be submitted by the applicants.

5. In view of the limited submission made and without going into the substantive merits of the case, the applicants are permitted to make a fresh representation to the respondents within a period of three weeks from the date of receipt of copy of this order and the the competent authority is directed to consider the representation to be submitted by the applicants in the light of the above decision and pass a reasoned and speaking order within a period of three months thereafter.

6. OA is disposed of at the admission stage.

(T. Jacob)
Member(A)
AS

08.01.2020

(P. Madhavan)
Member (J)