

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1676/2019

Dated Wednesday, the 18th day of December, 2019

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

Mrs. P.S.Parameshwari,
Daughter of P.Sivaprakasam,
No.65/34, Swamy Pandaram Street,
Chintadripet, Chennai – 600 002. ...Applicant

(By Advocate M/s A.L.Ganthimathi)

Vs

1. The Chief Commercial Manager,
Southern Railways,
Personnel Branch, Chennai – 600 003.
2. The Deputy Commercial Manager,
Southern Railways,
Personnel Branch, Chennai – 600 003.
3. The Senior Divisional Personnel Officer,
Southern Railways,
Personnel Branch, Chennai – 600 003.
4. The Assistant Personnel Officer,
(Traffic / Commercial), Chennai Division,
Southern Railways, Chennai – 600 003. ...Respondents

(By Advocate Mr.P.Srinivasan)

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

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

"To grant directions to the respondent herein to consider the representation of the applicant dated 24-06-2019 and to re-fix the pension of the applicant in accordance with the orders of punishment dated 21-01-2013 and to pass such further or other orders as this Hon'ble Court."

2. The applicant joined as commercial clerk in 1984 and was working as Enquiry cum Reservation Clerk and while so, the penalty of removal from service has been imposed on her, vide order dated 01.12.2008. On her appeal, she was reinstated into service under order dated 21.01.2013 by placing her in the bottom most grade as ECRC II under Pay Band of Rs.5200-20200 + GP Rs.2800 at minimum pay of Rs.5400/- for a period of 5 years affecting future increments and seniority and the intervening period was treated as absent on duty. Subsequently the applicant retired from service on 30.11.2017. The grievance of the applicant is that the terminal benefits were granted based on the pay fixation at lower grade whereas the pension benefits should have been calculated based on the original post, i.e., ECRC I after 5 years from the date of punishment. Hence this OA.

3. When the matter came up for hearing, learned counsel for the applicant would submit that the applicant has filed representation dated 24.06.2019 before the competent authority regarding his grievance which is still pending and no order is passed till now. She will be satisfied if the said representation is disposed of within a stipulated time frame.

4. Mr.P.Srinivasan, Senior standing counsel for Railways takes notice on behalf of the respondents and submits that the respondents have no objection for disposal of the representation of the applicant on merits.

5. In view of the limited submission and without going into the merits of the case, the OA is disposed of in the following lines:

"The competent authority is directed to consider the applicant's representation dated 24.06.2019 in the light of relevant rules and regulations and scheme and pass a reasoned and speaking order, within a period of three months from the date of receipt of a copy of this order."

**(T.JACOB)
MEMBER (A)**

18.12.2019

M.T.

**(P.MADHAVAN)
MEMBER (J)**