

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Thursday 23rd day of November Two Thousand And Seventeen

PRESENT:
THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A./310/01802/2017

E.B. Lalu,
W/o. Late E.M. Balakrishnan,
Retd. Junior Engineer,
No.34, New Jeeva Street,
Ponmalaipatti, Trichy- 620 004

.....Applicant

(By Advocate : M/s. Ratio Legis)

VS.

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

...Respondents

(By Advocate: Mr. P. Srinivasan)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

Heard. The O.A. has been filed by the applicant seeking the following relief:-

"to call for all the records related to the Payment of Gratuity Act, 1972 and the representation dated 11.01.2017 submitted by the applicant and to direct the respondents to arrange to pay retirement gratuity determined in terms of Gratuity Act in place of that paid under Railway Pension Rules with other attendant benefits with admissible interest."

2. The case of the applicant is that she is a widow of late E.M. Balakrishnan, who retired as a Junior Engineer on 30.11.2014 on attaining the age of superannuation. Pursuant to retirement, his gratuity was calculated with reference to Railway Services Pension Rules, 1993. It is submitted that if the retirement gratuity is calculated in terms of Sec. 4 of the Gratuity Act, the same would be much higher. Accordingly, a representation dated 11.01.2017 was submitted to the competent authority which has not been responded to as yet. Hence, the applicant has preferred the instant OA seeking the aforesaid relief.
3. Mr. P. Srinivasan, Learned Standing Counsel takes notice for the respondents.
4. Leaned counsel for the applicant submits that the applicant would be satisfied if the respondent is directed to dispose of his representation dated 11.01.2017 within a time frame. Learned Standing counsel for the respondents has no objection. Accordingly, the O.A. is disposed of with a direction to the respondent to consider Annexure-A3 representation of the applicant dated 11.01.2017 and pass a speaking order in accordance with law within a period of six weeks from the date of receipt of a copy of this order.
5. The O.A. is disposed of accordingly. No costs.