

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.236/2020

Dated Thursday, the 21st day of February, 2020

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

Johnson Raj Joseph,

S/o M.Joseph,

62/1, Alli Street, Vivekananda Nagar,

M.K.Kottai, Trichy – 620 011.

...Applicant

(By Advocate M/s R.Ramasamy)

Vs

1. Union of India rep by,

The General Manager,

Southern Railway, Chennai.

2. The Divisional Railway Manager,

Southern Railway, Trichy.

3. The Divisional Personnel Manager,

Southern Railway, Trichy.

...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 direct the respondents to give pay protection from 31.03.1978 employment as Diesel Electrical Khalasi recruited through Railway service commission till the recruitment and the same scale of pay be fixed and the difference in the pay from 1978 be implemented in the pension benefits and pension calculation and disburse the difference of amount till date with all monetary benefits by fixing a time frame and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice."

2. The applicant was appointed as Diesel Electrical Khalasi in the Railways through Railway Service Commission and he joined duty on 31.03.1978. While working as such, through department he applied for the post of Apprentice Electrical Chargeman B and he was selected and joined in the said post on 27.05.1981. After passing the suitability test, he was then absorbed as Chargeman/DSL(Elec). The grievance of the applicant is that even though continuity of service was granted, he was not given pay protection. Thereafter, the applicant made several representations to the respondents and he retired on 31.03.2018 with lesser benefits. Hence, he has filed this OA.

3. When the matter came up for hearing, learned counsel for the applicant would submit that the applicant has given several representations, the latest one dated 03.06.2019 to the competent

authority regarding his grievance which is still pending and no order is passed till now. He will be satisfied if he is permitted to make a fresh representation before the competent authority and the representation is considered and orders are passed, within a stipulated time limit.

4. Mr.P.Srinivasan, senior standing counsel for Railways, takes notice on behalf of the respondents and submits if a direction is given, the respondents will consider 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 applicant is directed to file a fresh representation along with relevant documents before the competent authority within a period of two weeks and the competent authority is directed to consider the said representation on the basis of relevant rules and regulations and pass a speaking order, within a period of four months from the date of receipt such representation."

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

21.02.2020

M.T.

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