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OA 389/2004

New Delhi, this the 16th day of February, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

Suraj Bhan Singh
S/o Sh. Ram Singh
R/o C/o Sh. Hari Om Gaur
Gali No.40, Sadh Nagar-II
New Delhi - 45.

...Applicant

(By Advocate Sh. Yogesh Sharma)

V E R S U S

1. Union of India through
The Secretary
Ministry of Railway
Rail Bhawan, Govt. of India
Rail Bhawan, New Delhi
2. The Divisional Security Commissioner (RPF)
North-East Railway, Varanasi (UP).
3. The Financial Adviser & Chief Accounts Officer
N.East Railway, Gorakhpur (UP).

...Respondents

O R D E R (ORAL)

Shri Sarweshwar Jha,

The applicant, who retired from RPF vide PPO No. NER/P/200 dated 31-1-79 and who has since been paid his pensionary benefits, has prayed for weightage of five years to be given to him as provided for under Rule 68 of the Railway Servants (Pension) Rules. The relevant provisions of the said rule are extracted under para 4.3 of the OA, whereas a copy of the relevant portion of the said rule is also given at page 12 (Annexure A-2). It is observed that the applicant has also submitted representation in the matter to the respondents vide his letter dated 10-6-2002 (Annexure 1), but the same has not been replied to so far by the respondents.

2. On perusal of the relevant portion of the rules, it is observed that these provisions regarding giving weightage of five years in respect of the category of




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employees to which the applicant belonged are quite clear and it should have been possible for the respondents to have dealt with the representation of the applicant in the matter and given an appropriate reply to him during the last over one and a half years during which the representation has been pending with them.

3. Considering the subject as submitted by the applicant in the representation as covered under the said provisions of the Railway Servant (Pension) Rules as claimed by the applicant and also keeping in view the fact that the respondents have not replied to him so far, the appropriate course at this stage would be to dispose of this OA at the admission stage without issuing notices to the respondents with directions to them to consider the representation which has been pending with them for such a long period and to dispose it of within a period of three months from the date of receipt of a copy of this order. It is also directed that the respondents shall also keep in view the facts as submitted by the applicant in this OA, treating it as another representation of the applicant, while disposing of the matter as directed above.

4. The OA stands disposed of accordingly.


(Sarveshwar Jha)
Member (A)

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