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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA NO. 2007/2004

MA No. 1725/2004

This the 20th day of August, 2004

HON'BLE MR. JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE MR. S.A. SINGH, MEMBER (A)

Sh. Babu Lal Sharma,
S/o Sh. Ganpat Ram Sharma,
Permanent Address: War No.20,
Near Railway Station, Luharu (Har).

(By Advocate: Sh. Yogesh Sharma)

Versus

1. Union of India through
The General Manager,
North-Western Railway,
Jaipur.
2. The Member (Staff),
Railway Board,
Rail Bhawan, New Delhi.
3. The General Manager,
Northern Railway,
Baroda House,
New Delhi.
4. The Divisional Railway Manager,
North-Western Railway,
Bikaner.

ORDER (ORAL)

By Justice V.S. Aggarwal, Chairman

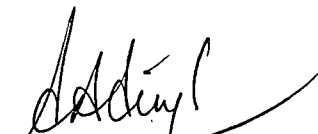
Learned counsel for applicant fairly did not press the relief in para 8.1 of the petition. He only press for the relief in para 8.2 of the application. Some of the relevant facts are that the applicant had suffered an order of compulsory retirement dated 6.7.2000. He had filed OA-790/HR/2000 in the Chandigarh Bench of this Tribunal, the same has been dismissed as premature. However, on 10.9.2001 the appeal of the applicant was decided and the appellate authority




reinstated the applicant but directed that the intervening period should be treated as dies non.

2. Applicant claim that in the face of the order that has been passed the respondents should refix the pay and pension of the applicant and accordingly retrial benefits after treating the period in question as on duty with consequential benefits. Applicant in this regard has already submitted a representation, copy of which is Annexure A-3, but no order in this regard as yet has been passed.

3. Once the application is pending it had to be decided and, therefore, any direction to that effect does not affect the rights of he respondents. Resultantly, we direct respondent No.2 to consider the representation of the applicant pertaining to the relief in para 8.2 of the petition to which we have referred to above. We direct respondent No.2 to pass an appropriate speaking order preferably within 4 months from the date of receipt of the said copy of the order and communicate it to the applicant.


(S.A. SINGH)
Member (A)


(V.S. AGGARWAL)
Chairman

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