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OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

ORIGINAL APPLICATION NO. 1115 OF 2005.

ALLAHABAD THIS THE 13TH DAY OF DECEMBER 2007.

Hon'ble Mr. Justice Khem Karan, V.C.

Duli Chand son of Shri Khoob Chand, retired Gangman,
P.W.I. Railway, Agra Cantt, Agra, R/o Hanuman Nagar,
Yamuna Bridge Railway Station ke pass, Agra-6.

.....Applicant

By Advocate: Dr. G.S.D Mishra/ Shri Ramesh Upadhyay

Versus.


1. Union of India through the General Manager, Northern Central Railway, Allahabad.
2. Divisional Railway Manager, Western Railway, Kota Division, Kota (Rajsthan).
3. Divisional Railway Manager, Northern Central Railway, Agra.
4. Senior Divisional Engineer-II, Northern Central Railway, Agra.

.....Respondents

By Advocate: Shri S.K. Anwar.

O R D E R

The applicant, Duli Chand, retired as Gangman on 31.1.2004. He has filed this O.A. praying that respondents be directed to consider his representation dated 10.5.2005 and to release the post retirement benefits including gratuity, funds, pension, Group Insurance.

2. According to the averments made in para 4.7 of the OA, he was awarded punishment of reduction to lower grade on initial pay of Gangman for 8 years with future effect. He says that on expiry of period of 8 years, his pay should have been fixed in the scale of Rs.980-1150, as he was working as Senior Gangman. His grievance is that his pay was not rightly fixed after expiry of period of
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punishment and same is likely to affect his pensionary benefits.

3. The respondents have filed their reply, saying that the pay of the applicant was correctly fixed, after expiry of period of punishment and in support of this plea, Annexure CR-3 has been filed. It is said that the entire retirement benefits as well as pension, encashment, GPF etc. have already been released as per Rules and nothing remains to be done by the respondents.

4. After hearing Shri S.K. Anwar, counsel for the respondents and perusing the record, I am of the view that the respondents should look into the grievance of the applicant, as regards the fixation of pay ~~just~~ after expiry of period of punishment. In case applicant gives any fresh representation, within a period of one month from today regarding alleged wrong fixation of pay after expiry of period of punishment, the respondent no.4 namely Senior Divisional Engineer-II, North Central Railway, Agra shall consider and pass suitable order as per Rules, within a period of three months from the date, such representation so given.

5. With the above directions, the O.A. is finally disposed of.

No costs.

L. Anwar
13/12/07

Vice-Chairman

Manish/-