

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.261/2021

This the 15th day of July, 2021.

**Coram : Hon'ble Shri Jayesh V.Bhairavia, Member (J)
Hon'ble Dr. A.K.Dubey, Member (A)**

Shri Manhar T.
S/o. Thakorbhai
Aged 52 years,
Redt. As Loco Pilot (Goods)
Resident : D-406, Shriji Flats, Vadsar
Vadodara – 390 010. Applicant

(By Advocate : Ms.S.S.Chaturvedi)

Versus

1. Union of India
Notice to be served through:
General Manager, Western Railway,
Churchgate, Mumbai 400 020.
2. Divisional Railway Manager (E)
Western Railway, Pratapnagar,
Baroda 390 004. Respondents

O R D E R (ORAL)

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

1. In the instant OA, counsel for the applicant, Ms. S.S.Chaturvedi submits that vide application/ representation dated 13.03.2021 (Annexure A/1) the applicant had claimed for grant of Accident Free Service Award as per the Railway Board's circular No.86/Safety-1/24/35 dated 06.09.1998. According to the counsel for the applicant, the applicant had retired on 13.05.2020 from the post of Loco Pilot

(Goods). Further, it was submitted that during his entire service tenure, there was no any adverse action occurred nor any chargesheet or censure ever issued to him. Therefore, he became entitled for grant of Accident Free Service Award for which he has made representation dated 13.3.2021. The said representation remained pending till date.

2. We have perused the material on record.
3. It is noticed that for the first time, the applicant had submitted his claim for grant of Accident Free Service Award vide application dated 13.03.2021 (Annexure A/1). As per the provisions under Section 20 (2)(b) of the A.T.Act, 1985, six months period has yet not over. As such, there is no decision of the respondents on the application / representation of the applicant. Counsel for the applicant submits that as per the procedure established in the department, it is the duty of the respondents to extend the benefits of Accident Free Service Award immediately on his retirement. Since the applicant had retired on 13.5.2020, the respondents have not granted the benefits to him, hence, he has filed the representation dated 13.3.2021. According to the applicant, he has exhausted alternative remedy. We are not agreed with the submission of the counsel for the applicant. Undisputedly, the application dated 13.3.2021 till date remained undecided by the respondents as there is no material on record contrary to it. Under the circumstances, we deem it fit to dispose of this OA at admission stage itself. It is expected that the respondents will take appropriate decision

on the pending representation of the applicant dated 13.3.2021, if not decided till date. The applicant is at liberty to take appropriate legal recourses, if the grievance of the applicant is not redressed on completion of six months from the submissions of his representation.

4. In view of the above, the OA stands disposed of. No order as to costs.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

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