

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00318/2021

DATED THIS THE 18TH DAY OF JUNE, 2021

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Chandigarh Bench, Chandigarh)

HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)

(On video conference from his residence in Bangalore)

D.V. Janakiram

S/o Venkataiah

Aged about 62 years

Rtd Chief Trains Clerk

S.W. Railway, Yeshwanthpur

....Applicant

(By Advocate Shri K. Shivakumar- through video conference)

1. Union of India

Rep. by General Manager, S.W. Railway,
Gadag Road, Hubballi-580020

2. Senior Divisional Personnel Officer,

S.W. Railway, Bengaluru-560023

.....Respondents

O R D E R (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

The Present Original Application has been filed by the applicant

under section 19 of the Administrative Tribunals Act, 1985 making

therein the following prayer:

- i. Quash the memorandum dated 17.09.2019 (Annexure-A1) as unconstitutional, arbitrary and against rules of pay fixation and*
- ii. Order the respondents to recalculate the pension and other settlement benefits based on the last pay drawn of Rs.39900 and to pay the difference in settlement benefits immediately with 18% interest for the delayed payment.*

2. At the very outset, learned counsel for the applicant submitted that before filing the present Original Application, the applicant submitted a representation dated 12.11.2019 which was followed by subsequent representations dated 20.02.2020 and 19.03.2021. However, the respondents have failed to take any decision over the said representations. Learned counsel further submitted that the applicant will be satisfied if a direction is issued to respondents to decide his pending representations within a timeframe.

3. Keeping in view the aforesated limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Original Application at the admission state itself without entering into the merits of the case.

4. Accordingly, the Original Application is disposed of with a direction to Senior Divisional Personnel Officer, South Western Railway, Bengaluru (Respondent No.2 herein) to decide the applicant's pending representations dated 12.11.2019, 20.02.2020 and 19.03.2021 and pass a reasoned and speaking order in accordance with law. Before taking

such a decision, the applicant shall be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of 2 months from the date of receipt of a certified copy of this order.

5. Ordered Accordingly.

6. However, there shall be no orders so as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

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