



CENTRAL ADMINISTRATIVE TRIBUNAL

CHANDIGARH BENCH

Hearing by Video Conferencing

O.A. No.060/844/2021

Chandigarh, this the 11th day of August, 2021

HON'BLE SH. SURESH KUMAR MONGA, MEMBER (J)

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

HON'BLE SH. RAKESH KUMAR GUPTA, MEMBER (A)

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

Sarjiwan Singh, aged 60 years, son of Kans Raj, resident of village Lahri Guran, Lahri Gujran, Tehsil & District Pathankot-145001.

...Applicant

(BY ADVOCATE: Sh. K.K. Thakur proxy counsel for Sh. Rajeev Dev Sharma)

VERSUS

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi-110001.
2. Senior Divisional Personnell Officer, Northern Railway, Ferozepur Cantt, Ferozepur, District Ferozepur-152002.
3. Sr. Divisional Finance Manager, Northern Railway, Ferozepur Cantt, Ferozepur, District Ferozepur-152002.
4. Assistant Divisional Engineer, Northern Railway, Pathankot, District Pathankot-145001.

...Respondents

O R D E R(Oral)

Per: SURESH KUMAR MONGA, MEMBER (J):

1. The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 making therein the following prayer:-

"8(i).Directing quashing the order/letter dated 22.02.2021 whereby the recovery was one being illegal and absurd.

(ii) Directing the respondents to recalculate the retiral benefits payable to the applicant on his retirement without any reduction or recovery on the ground of alleged excess payment and pay the same including arrears with interest from the date it became due till the date of actual payment."

2. At the very outset, Sh. K.K. Thakur, appearing as proxy for Sh. Rajeev Dev Sharma, learned counsel for the applicant, submitted that before filing the present Original Application, the applicant got issued a Legal Notice through his counsel on 23.04.2021 (Annexure A-3). However, neither the said Notice has been replied by the respondents nor his grievance has been redressed.

3. Learned counsel further submitted that the applicant will be satisfied if a direction is issued to the respondents to treat the said Legal Notice dated 23.04.2021 as his representation

and pass a reasoned and speaking order over the same within a time frame.



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

5. Accordingly, the Original Application is disposed of with a direction to Senior Divisional Personnel Officer, Northern Railway, Ferozepur Cantt, Ferozepur (Respondent No. 2 herein) to treat the applicant's Legal Notice dated 23.04.2021 (Annexure A-3) as his representation and pass a reasoned and speaking order over the same in accordance with law. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of two months from the date of receipt of a certified copy of this order.

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

(RAKESH KUMAR GUPTA)
Member (A)

(SURESH KUMAR MONGA)
Member (J)

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