



## CENTRAL ADMINISTRATIVE TRIBUNAL

### CHANDIGARH BENCH

#### Hearing by Video Conferencing

**O.A. No.060/1041/2021**

Chandigarh, this the 9<sup>th</sup> day of September, 2021

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

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

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Rajinder Kumar, aged 60 years, son of Kasturi Lal,  
resident of H. No. 329, Ward No. 9, New Shastri Nagar,  
Tehsil & District Pathankot-145001.

**...Applicant**

(BY ADVOCATE: Sh. Rajeev Dev Sharma)

### **VERSUS**

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi-110001.
2. Senior Divisional Personnel 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.

**...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 a prayer for quashing the order of recovery dated 05.02.2021 with a further direction to respondents to recalculate his retiral benefits without taking into consideration the recovery amount and release the arrears with interest from the date it became due.

2. At the very outset, 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, I 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.(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.

**(SURESH KUMAR MONGA)**  
**Member (J)**

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