

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**OA/310/00378/2021**

**Dated Wednesday the 7<sup>th</sup> day of April Two Thousand Twenty One**

**CORAM : HON'BLE SHRI. S. N. TERDAL, Member (J)**  
**HON'BLE SHRI. T. JACOB, Member (A)**

R.Soman, S/o. K. Raghavan,  
Aged 60 years,  
(Retd) Senior Technician/Welder,  
HCR/C&W/PER, Carriage Works Shop,  
Perambur, Chennai.  
Residing at: No. 24/A, 2<sup>nd</sup> Street,  
VOC Nagar, Menambedu, Ambattur,  
Chennai 600053. ....Applicant

By Advocate M/s. T. N. Sugesh

Vs

1. The Union of India,  
rep by the General Manager,  
Southern Railway, Chennai 600003.
2. The Divisional Railway Manager,  
Southern Railway, Chennai Division,  
Chennai 600003.
3. The Senior Divisional Personnel Officer,  
Personnel Branch, Southern Railway,  
Chennai 600003.
4. The Chief Workshop Manager,  
Carriage and Wagon Workshop,  
Southern Railway,  
Perambur, Chennai 600011.
5. The Workshop Accounts Officer/Per-WS,  
Southern Railway,  
Perambur, Chennai 600011. ....Respondents

By Advocate Mr. P. Srinivasan, Sr. Standing Counsel for Railways

**ORAL ORDER****(Pronounced by Hon'ble Shri. S. N. Terdal, Member(J))**

The relief prayed for in this OA is as follows:

"To call for the records relating to the impugned order of the fourth respondent herein in Order in No. CPB/P-1/533/HS/Welder dated 26.06.2020 and the Order of the fifth respondent in PEN/PER-WS/SETTLDTL/15722479649/30.06.2020 dated 17.08.2020 and set aside the same in so far as the Order of recovery of Rs. 4,98,902/- from the Gratuity is concerned and direct the respondents to pay the said sum of Rs. 4,98,902/- (Rupees Four Lakhs Ninety Eight Thousand Nine Hundred and Two only) that had been recovered from the Gratuity amount payable to him, together with interest thereon at 12% per annum till repayment and pass such further or other orders as this Hon'ble Tribunal may be pleased to deem fit and proper in the circumstances of the case and thus render justice."

2. Heard Mr. T. N. Sugesh, counsel for the applicant and counsel representing Mr. P. Srinivasan, Sr. Standing Counsel for Railways appearing on advance notice.
3. At the time of hearing, counsel for the applicant submits that the applicant has filed a representation dt. 08.10.2020 which has not been considered by the respondents. He further submits that this OA may be disposed of with a direction to the respondents to consider the pending representation of the applicant in a time bound manner.
4. Hence, without going into the merits of the case, this OA is disposed of with liberty to the applicant to file a comprehensive representation within a period of 15 days from the date of receipt of a copy of this order. On receipt of such representation, the respondents are directed to consider the said

representation and pass a reasoned and speaking order as per law within a period of two months thereafter.

5. OA is disposed of at the admission stage. No costs.

**(T.Jacob)**  
**Member(A)**

**(S.N.Terdal)**  
**Member(J)**

**07.04.2021**

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