

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A No. 180/00225/2021**

Thursday, this the 3<sup>rd</sup> day of June, 2021.

**CORAM:**

**HON'BLE Mr. P. MADHAVAN, JUDICIAL MEMBER  
HON'BLE Mr. K.V. EAPEN, ADMINISTRATIVE MEMBER**

Babu K, 51 years,  
S/o. Andy,  
Ex-Electrical Fitter Grade III/AC Loco,  
Southern Railway, Erode Junction, Palakkad Division,  
Presently working as Asstt. Executive Engineer,  
Kerala State Electricity Board Ltd.,  
Residing at 'Kavyakiranam', Ulliyeri (P.O),  
Via Koilandi, Calicut – 673 323. - Applicant

[By Advocate : Mr. T.C. Govindaswamy]

**Versus**

1. Union of India represented by the  
General Manager, Southern Railway,  
Head Quarters Office, Park Town (P.O),  
Chennai – 600 003.
2. The Divisional Railway Manager,  
Southern Railway, Divisional Office,  
Palakkad Division, Palakkad – 678 002.
3. The Senior Divisional Personnel Officer,  
Southern Railway, Divisional Office,  
Palakkad Division, Palakkad – 678 002.
4. The Assistant Electrical Engineer – Operation,  
Southern Railway, Erode – 638 002.
5. The Chief Engineer (HRM),  
Kerala State Electricity Board Ltd.,  
Vidyuthi Bhawan, Pattom, Trivandrum – 695 004. - Respondents

[By Advocate : Mr. Sunil Jacob Jose for R-1 to 4]

The application having been heard on 03.06.2021, the Tribunal on the same day delivered the following:

## **ORDER**

**Per: Mr. P. Madhavan, Judicial Member**

The applicant filed this O.A seeking the following reliefs:-

*“i. Declare that the applicant is entitled to have to pro-rata pension liability remitted by the respondents 1 to 4 to the fifth respondent KSEB, for the service rendered in the Railways between 14.05.1991 to 20.09.1995 and direct the Respondents to remit the same to the KSEB, forthwith in accordance with law.*

*ii. Direct the respondents 1 to 4 to remit the pro-rata pension liability to the fifth respondent KSEB, for the service rendered in the Railways between 14.05.1991 to 20.09.1995 and direct the 5<sup>th</sup> respondent to reckon the service rendered in Railways as KSEB service for all material purposes.”*

2. When the matter came up for consideration, the counsel for the applicant submits that similar matters have already been disposed of by this Tribunal and Hon'ble High Court and passed orders in favour of similarly placed employees in OP(CAT) No. 3350/2012 (Annexure A-11) and connected cases. It is submitted by the applicant that the applicant wishes to file fresh representation in this regard. He will be satisfied, if the representation is considered in the light of rules and law laid down by the Courts.

3. Mr. Sunil Jacob Jose takes notice on behalf of the respondents. He has no objection to consider any representation filed in this regard.

**4. In view of the limited prayer, Competent Authority is directed to consider the representation of the applicant in the light of the above decisions and pass a speaking order within a period of three months from the date of receipt of fresh representation by the applicant.**

5. O.A is disposed of at the admission stage, without going into the merits of the case. No order as to costs.

(Dated, 3<sup>rd</sup> June, 2021.)

**(K.V. EAPEN)**  
**ADMINISTRATIVE MEMBER**

**(P. MADHAVAN)**  
**JUDICIAL MEMBER**

Applicant's Annexures

- |               |   |  |
|---------------|---|--|
| Annexure A-1  | - | A true copy of the order bearing No. RS/AJJ/9/1991 dated 13.05.1991.   |
| Annexure A-2  | - | A true copy of the bearing No. M/P98/V/T/RS dated 24.04.1991.  |
| Annexure A-3  | - | A true copy of the resignation letter dated 12.09.1995, submitted by the applicant to the third respondent.  |
| Annexure A-4  | - | A true copy of the Office Order bearing No. J/P.535/TRD/Trip Shed dated 18.09.1995.  |
| Annexure A-5  | - | A true copy of the order No. J/A/O/Trip Shed Staff dated 20.09.1995.   |
| Annexure A-6  | - | A true copy of the letter No. EB 2/GL/2005-06/3766 dated 25.11.2005 from the office of the fifth respondent.   |
| Annexure A-7  | - | A true copy of the Representation dated 31.07.2006 submitted by the applicant to the fifth respondent.   |
| Annexure A-8  | - | A true copy of the representation dated August 2018 addressed to the respondent Divisional Manager, Palakkad.  |
| Annexure A-9  | - | A true copy of the letter bearing No. PA/Gl.1/733/2006 dated 15.05.2007.   |
| Annexure A-10 | - | A true copy of the Railway Board order dated 28.10.1993 with amendments thereon as published in Bahri's compilation of Railway Services Pension Manual 2005. |
| Annexure A-11 | - | A true copy of the judgment in OP(CAT) No. 3350 of 2012 of the Hon'ble High Court of Kerala dated 31.07.2015.  |
| Annexure A-12 | - | A true copy of the representation submitted by the applicant dated 10.03.2019.   |

Annexures of Respondents

NIL

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