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Court No.1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration T.A. No. 982 of 1987

(W.P. No. 10694 of 1982)

A.R. Srivastava & Others ..... Petitioners

Versus

Union of India & Others ..... Respondents.

Hon. Ajay Johri, A.M.

Hon. G.S. Sharma, J.M.

(By Hon. Ajay Johri, A.M.)

This Writ Petition No. 10694 of 1982 has been received on transfer from the Hon'ble High Court of Allahabad under Section 29 of the Administrative Tribunals Act XIII of 1985. The petitioners who are the sons of a deceased employee Govind Ram Srivastava have by this petition prayed for a direction to be issued to the respondents to expeditiously dispose of the claim of the deceased, now being pursued by the petitioners.

2. The brief facts of the case are that on 28.4.1925 the deceased railway servant whose sons are the petitioners was appointed as a clerk in the Transportation Department of the Central Railway at Bina station. He was confirmed on this post prior to 1.3.1938. He was retired on attaining the age of 55 years on 10. 9.1960 while according to him he should

have been retired at the age of 60 years, thus he lost five years of Government service. On the basis of a decision of the Hon'ble Supreme Court in A.I.R. 1972 SC 508 Railway Board & Another Versus Pitchumani, the Railway Board had issued directions to all the General Managers regarding disposal of the cases of different categories of persons who are entitled to seek relief in pursuance of the Hon'ble Supreme Court's orders. The claim of the deceased ~~as alleged by him~~ fell under Clause 5(e) of the Railway Board's Circular of 10.1.1972. On 21.5.72 the deceased had represented to the Chief Personnel Officer, Bombay through Divisional Superintendent Jhansi seeking relief of five years salary, Dearness Allowances increased and other benefits such as annual/gratuity, increased interest etc.

3. On 26.5.1988 this Tribunal had heard this case and had directed the learned counsel for the respondents to inform the Tribunal whether any order has been passed on the representation of the deceased or not. The respondents were to file the reply by 9.8.1988. No reply has been filed before us today.

4. We have heard Shri B.D.Srivastava for the petitioners and Shri P.N. Katju for the respondents. The only short point involved in this case is whether the representation submitted by the deceased has been decided or not and if it is not decided it should be

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expeditiously disposed of. Since the respondents have failed to indicate the status of this representation and there is no other relief that has been claimed by the petitioners we direct that the respondents will dispose of the claim of the deceased within two months from the date of the receipt of this order if not already decided. The petition is disposed of in the above terms. Parties will bear their own costs through-out.

*J. M.*  
J. M.

*APR 9 1988*  
A.M.

Dated the 9th Aug., 1988.

RKM