

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD

Allahabad this the 22nd day of May 2000.

Original Application No. 227 of 1994.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Nirgun Ram S/o Late Mathura,  
clerk, N.E. Railways Sonpur, Bihar,  
R/o Village Bhadaon, P.O. Maltari  
Pargana & Tehsil Sagari,  
District Azamgarh.

.....Applicant

C/A Shri Rahul Tripathi Advocate

Versus

1. Union of India, through Secretary,  
Ministry of Railways, Rail Bhawan,  
New Delhi.
2. Divisional Railway Manager, N.E. Railways,  
Sonepur, Bihar.
3. Chief Personal Officer, N.E. Railways,  
Gorakhpur, U.P.
4. Senior Divisional Personal Officer,  
N.E. Railway, Sonepur, Bihar.

.....Respondents

C/R Sri A. Sthalekar Advocate

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ORDER

By Hon'ble Mr. S.K.I. Naqvi, Judicial Member.

1. Sri Nirgun Ram has filed this Original application through which he has sought for direction to the respondents to pay him the special pay of Rs. 35/- per month from 1.7.84 to 28.2.87 and computation of his pension amount by including the special pay and also to grant commuted leave on medical certificate for the period 16.4.71 to 10.5.71 and 22.4.72 to 10.5.72. The applicant has main grievance that he knocked at respondents through several representations but of no avail and the respondents did not even care to decide any of his representations of which latest being dated 18.8.1982, the copy of which has been annexed as annexure-12 to this original application. The applicant claims that on retirement of Sri Bindeshwari Prasad, Senior clerk in the month of July, 1984, the applicant was assigned the work of Sri Bindeshwari Prasad and became entitled to special pay of Rs. 35/- per month which was being given to Sri Bindeshwari Prasad for performing duties of complex nature, and therefore the applicant is also entitled to that special pay and its consequential benefits on his retirement. Sri A. Sthalekar learned counsel for respondents has

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not only opposed this original application on its merit but has also strongly pleaded that this original application cannot be entertained for being barred by limitation of time.

2. No doubt their is some delay in filing the application for which the learned counsel for applicant has shown sufficient reasons during the course of arguments.

3. Keeping in view the facts and circumstances of the matter I find the respondents should not have put their deaf-ear, towards the applicant and must have decide the representations.

3. For the above I find it expedient to direct the respondents to decide the pending representation of the applicant, the copy of which has been annexed as annexure-12 to the original application, within two months from the date of communication of this order, by means of detailed reasoned and speaking order, under the intimation to the applicant. The respondents are directed accordingly.

4. There shall be no order as to costs.

*S. Venkay*  
Member-J

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