

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO. /345/91

~~T.A. NO.~~

DATE OF DECISION 24-1-1996

Ismail Kasam

Petitioner

Mr.B.B.Gogia

Advocate for the Petitioner (s)

Versus

Union of India & ors.

Respondent

Mr.R.M.Vin

Advocate for the Respondent (s)

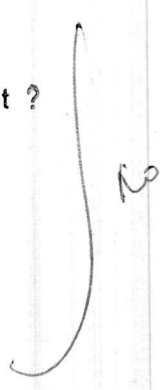
CORAM

The Hon'ble Mr. V.Radhakrishnan

Member (A)

The Hon'ble Mr.

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
 2. To be referred to the Reporter or not ?
 3. Whether their Lordships wish to see the fair copy of the Judgment ?
 4. Whether it needs to be circulated to other Benches of the Tribunal ?
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Shri Ismail Kasam
Near PWI's Office,
Western Railway,
Porbandar.

Applicant.

Advocate Mr. B.B. Gogia

Versus

1. Union of India
Owing and Representing
Western Railway
Through
General Manager
Western Railway
Churchgate Bombay.
2. Divisional Railway Manager
Western Railway
Bhavnagar Division
Bhavnagar Para.

Respondents.

Advocate Mr. R.M. Vin

ORAL ORDER

In

Date: 24-1-1996.

O.A. 345 of 1991.

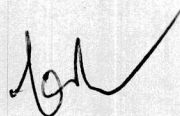
Per Hon'ble Shri V. Radhakrishnan

Member (A)

Mr. Gogia is not present. Mr. Vin learned counsel for the respondent is present. The applicant has come up in this application with the following reliefs:

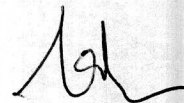
A)

The respondents may please be directed to fix the pension finally and pay him all the retirement benefits including DCRG commutation pension, leave salary etc. on the basis of last pay he would have drawn on 1-12-1986 in the revised scales of pay i.e. Rs. 750-940 along with interest at 18% P.A. for the amount withheld. He may also be paid other dues such as arrears of payment on account of the fixation of his pay in the revised scales of pay forthwith.



- B. Any other better relief/reliefs as deemed just and proper by this Honourable Tribunal looking to the nature of the case may also please be granted to the applicant.
- C. Cost of the petition may also be awarded to the applicant from the respondents.

2. As per the reply submitted by the respondents the final fixation of pension of the applicant could only be done after the Railway Board decides the question regarding his continuance in service from 1-2-1986 to 2-12-1986. At present it is not known as to whether any decision in the matter is taken. However as the matter has been hanging fire for [~]number of years the Railway Board is directed to decide the matter within a period of three months from the date of receipt of a copy of this order and to intimate the applicant within two weeks thereafter. The applicant shall have liberty to take legal course of action available to him in case he is aggrieved by the decision taken by the Railway Board. O.A. stands disposed of with the above directions. No order as to costs.





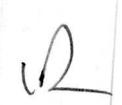


(V. Radhakrishnan)
Member (A)

*AS.

Date	Office Report	ORDER
31.7.96		<p>Leave note filed by Mr. Gogia. Adjourned to 13.8.96. Office objections may be removed before that date.</p> <p>(V.Radhakrishnan) Member(A)</p> <p>vtc.</p>
3/8/96		<p><u>M.A.st.385/96</u></p> <p>Adjourned to 28/8/96 for removal of office objections.</p> <p>(V.Radhakrishnan) Member (A)</p> <p>ssh*</p>
28.8.96		<p>Leave note filed by Mr. Vin. Adjourned to 11.9.1996.</p> <p>(T.N.Bhat) Member (J)</p> <p>(K.Ramamoorthy) Member (A)</p> <p>vtc.</p>
11.9.96		<p>Mr. Gogia is not present when the matter called out. Adjourned to 17.9.1996.</p> <p>(K.Ramamoorthy) Member(A)</p> <p>vtc.</p>

Date	Office Report	ORDER
17/9/96		<p>Leave note filed by Mr.Gogia. Adjourned to 24/9/96.</p> <p>(K.Ramamoorthy) Member (A)</p> <p>ssh*</p>
24.9.96		<p><u>M.A.St.385/96</u></p> <p>Mr.Gogia is not present. Mr.Vin states that ^{9 copy of it} the M.A. has been sent directly to the counsel for the applicant. Accordingly, the objection may be deleted and M.A. may be given regular number. In view of the fact that the three ^{is} months time asked for in the M.A. has ^{is} already been over on 9.8.96. Hence, M.A. is disposed of as become infructuous.</p> <p>(V.Radhakrishnan) Member (A)</p> <p>ssh*</p>


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31.7.96		<p>Leave note filed by Mr. Gogia. Adjourned to 13.8.96. Office objections may be removed before that date.</p> <p style="text-align: right;">  (V. Radhakrishnan) Member (A) </p> <p>vtc.</p>
13/8/96		<p style="text-align: center;"><u>M.A.st.385/96</u></p> <p>Adjourned to 28/8/96 for removal of office objections.</p> <p style="text-align: right;">  (V. Radhakrishnan) Member (A) </p> <p>ssh*</p>
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(K. Ramamoorthy)
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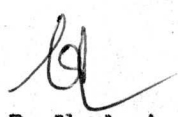
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