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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00202 of 2014
Cuttack this the 4thth day of April, 2014

CORAM:

HON'BLE SHRI A.K.PATNAIK, MEMBER(J)
HON'BLE SHRI R.C.MISRA, MEMBER(A)

Ch.Virabhadra Rao
Aged about 76 years
Son of late Gunayaya
Retired Mistry
Holder of PPO No.PEN/SE/KGP/1996/
B-844/RE/SE/72 dated 17.09.1998
Permanent resident of Aditya Nilayam
Narshapuram
Old NH Road (Opposite Raj Rajeswari ICE Fctory)
Palasa, Dist-Srikakulam
Andhra Pradesh
At present C/o.Ch.Nandi Raju, Barak Street
PO-Berhampur, Dist-Ganjam
Odisha

...Applicant

By the Advocate(s)-M/s.N.R.Routray
Smt..J.Pradhan
T.K.Choudhury
S.K.Mohanty

-VERSUS

Union of India represented through

1. The General Manager
South Eastern Railway
Garden Reach
Kolkata-43
West Bengal
2. The Senior Divisional Personnel Officer
South eastern Railway
Kharagpur Division
At/PO-Kharagpur
Dist-Jaschim Medinapur
West Bengal

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3. The Senior Divisional Signal & Telecom Engineer
South Eastern Railway
Kharagpur Division At/PO-Kharagpur
Dist-Paschim Medinapur
West Bengal
4. Sr.D.R.M. Kharagpur Division
At/PO-Kharagpur
Dist-Paschim Medinapur
West Bengal

By the Advocate(s) Mr.T.Rath

ORDER

A.K.PATTNAIK, MEMBER(J)

Heard Shri N.R.Routray, learned counsel for the applicant and Shri T.Rath, learned Standing Counsel for the Respondent-Railways. Shri Rath accepts notice on behalf of the Respondents. Registry is directed to serve notice on Shri Rath under Sub rule-4 of Rule-11 of CAT (Procedure) Rules, 1987.

2. At the outset, Shri Routray submitted that the applicant who is now 76 years old, has retired from railway service in the year 1996. His grievance is that though he is entitled to restoration of commutation amount and payment of the differential arrears on pension with effect from 01.10.2011, the Respondents are not considering his claim. Ventilating his grievance applicant has preferred a representation dated 04.12.2013(Annexure-A/3) addressed to Senior Divisional Signal and Telecom Engineer (Res.No.3) with copy being forwarded to Senior DPO/S.E.Railway, Kharagpur Division (Res.No.2) and having received no response, he has moved this Tribunal in the present O.A.

3. On the other hand, Shri T.Rath, learned Standing Counsel submitted that he has no immediate instruction as to whether representation as aforesaid, has

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been preferred by the applicant to Res.No.3 with copy to Res.No.2 and if so the status thereof. According to Shri Rath, Respondent No.4 is the proper authority to grant the benefit as claimed by the applicant.

4. Having regard to submissions made by the learned counsel for both the sides and keeping in mind the age of the applicant, we direct that if any such representation dated 4.12.2013 has been preferred by the applicant and the same is pending, Respondent No.3 shall consider the same and take appropriate step for grant of the said benefit in favour of the applicant if he is otherwise eligible, as early as possible.

5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

6. Send copy of this order to Res.Nos. 2, 3 and 4 by Speed Post at the cost of the applicant, for which Shri Routray undertakes to deposit the postal requisites by 9.4.2014. Free copy of this order be made over to the learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)

BKS


(A.K.PATNAIK)
MEMBER(J)