

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.462/2003

Monday this the 9th day of June, 2003.

C O R A M

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

C.Lalitha
W/o Late Maniyan
Gangwoman
Gang No.10, Southern Railway
Kazhakuttam, Trivandrum.
Residing at Manakkadu Vilakam
Near Shaji Hospital
Kazhakuttam P.O.
Trivandrum District.

Applicant

(By advocate Mr.T.C.Govinda Swamy)

Versus

1. Union of India rep. by the
General Manager
Southern Railway
Headquarters Office
Park Town P.O.
Chennai.
2. The Chief Personnel Officer
Southern Railway, Headquarters Office
Park Town P.O., Chennai.
3. The Divisional Railway Manager
Southern Railway
Trivandrum.
4. The Senior Divisional Personnel Officer
Southern Railway
Trivandrum.

Respondents

(By advocate Mr.Thomas Mathew Nellimootttil)

The application having been heard on 9th June, 2003, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

Applicant, presently working as Gangwoman, has filed this application for the following reliefs:

(a) Declare that the applicant is entitled to be empanelled/absorbed as Gangwoman with effect from the date of absorption of those persons at S1.No.38 and below in Annexure A2 and direct the respondents accordingly.

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(b) Direct the respondents to grant the applicant the consequential benefits of at least notional service with effect from the date of absorption of the applicant's next junior at S1.No.38 as below in Annexure A2, so as to entitle her for pension and other retiral benefits.

2. The applicant's grievance is that while by an order dated 13.2.97 persons with lesser length of service than her had been regularized (S1.No.38 downwards), she was regularized with effect from 5.3.99, with the result that she may lose her entitlement for pension itself. Highlighting her grievance, the applicant submitted representations to respondents 1 to 3. Finding no response to her representations, the applicant has filed this application for the reliefs as aforesaid.

3. When the application came up for hearing, Sh.Thomas Mathew Nellimoottil took notice on behalf of the respondents. The learned counsel on either side agreed that the application may be disposed of directing the first respondent to have the representations of the applicant Annexures A-6 to A-8 considered in accordance with the facts stated in the representations, rules and instructions on the subject and to give to the applicant an appropriate reply within a reasonable period of time.

4. In the light of what is stated by the counsel, we dispose of this application directing the first respondent to have the representations of the applicant A-6 to A-8 considered by the competent authority in the light of the facts, rules and instructions on the subject and to give the applicant an appropriate reply within a period of four months from the date of receipt of a copy of this order. No order as to costs.

Dated 9th June, 2003.



T.N.T.NAYAR
ADMINISTRATIVE MEMBER

aa.



A.V. HARIDASAN
VICE CHAIRMAN