

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 464 of 1990
T.A. No.

DATE OF DECISION 30-5-1991

N Neelakantan Applicant (s)

Mr P Sivan Pillai Advocate for the Applicant (s)

Versus

Union of India & 3 others Respondent (s)

Mrs Sumtahi Dandapani Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. SP Mukerji, Vice Chairman

&

The Hon'ble Mr. AV Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? PW
4. To be circulated to all Benches of the Tribunal? PW

JUDGEMENT

SP Mukerji, Vice Chairman

In this application dated 8.6.1990 the applicant under the Southern Railway, who has retired as a senior Gangman/has prayed that the respondents be directed to grant superannuation pension taking into account his service from 7.9.1967 or from 6.6.1976 and also to pay him gratuity for the casual service rendered by him from 21.11.1966 to 20.4.1979 under the Payment of Gratuity Act.

2. When the case was taken up for final hearing today, the learned counsel for the respondents indicated that the

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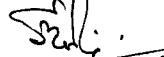
applicant has already been sanctioned superannuation pension and gratuity for his regular service as a Railway servant.

As regards payment of gratuity related to his casual service between 1966 and 1979, the learned counsel indicated that they are awaiting instructions from the Railway Board.

3. In the facts and circumstances, we close this application with the direction that the applicant should make a detailed representation to the third respondent within a period of 4 weeks from today for payment of gratuity relatable to his casual service and we direct the respondents to dispose of the representation within a period of 2 months from the date of its receipt, in accordance with law. The applicant will be at liberty to approach appropriate legal forum in case he feels aggrieved by the outcome of this application. The respondents are also directed to disburse the payment of pension and other retiral benefits already sanctioned to the applicant within a period of 2 months from the date of communication of this order after adjusting the gratuity already paid to the applicant, in lieu of pension.



(AV HARIDASAN)
JUDICIAL MEMBER



30-5-91
(SP MUKERJI)
VICE CHAIRMAN

30-5-1991

trs