

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.476/96

Wednesday, this the 26th day of June, 1996.

C O R A M

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

....

N Sathyaseelan, Retired Senior Clerk,
Office of the Area Supervisor (Mechanical),
Southern Railway, Quilon,
Residing at "Surabhi", Valiyavila,
Kallumthazham Post, Kilikollur, Quilon--4.

....Applicant

By Advocate Shri TCG Swamy.

vs

1. Union of India represented by
the General Manager, Southern Railway,
Headquarters Office, Park Town PO,
Madras--3.
2. The Chief Personnel Officer,
Southern Railway, Headquarters Office,
Park Town PO, Madras--3.
3. The Divisional Personnel Officer,
Southern Railway, Trivandrum Division,
Trivandrum--14.

....Respondents

The application having been heard on 26th June, 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

Applicant, who retired as a Senior Clerk on 30.9.95, seeks a declaration that his entire service including the service between 29.8.62 and 1.1.72 is liable to be reckoned as qualifying service for purposes of pension. Respondents have filed a reply statement contending that only fifty per cent of the service between 29.8.62 and 1.1.72 is liable to be counted as qualifying service.

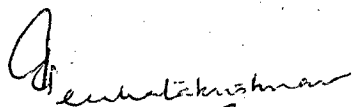
2. A fact adjudication will be necessary to determine the nature

contd.

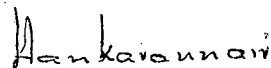
of service during this period. Such adjudication must be made by the Chief Personnel Officer (second respondent herein). Applicant may make a representation before the said respondent, setting out his case and supporting it with such evidences as he may have. Respondent Chief Personnel Officer will pass a speaking order on the representation within four months of the date of receipt of the same and communicate the same to applicant. The time limit will be adhered to faithfully.

3. Application is disposed of as aforesaid. No costs.

Dated the 26th June, 1996.



PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN