

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 612 of 2008

Wednesday, this the 24th day of February, 2010

CORAM:

Hon'ble Mr. George Paracken, Judicial Member

Hon'ble Mr. K. George Joseph, Administrative Member

M.V. Krishnamurthy, aged 60 years, S/o. (Late) M.L. Venkateswara Iyer, (Retd. Relieving Porter/Commercial, Southern Railway/Coimbatore Junction), Residing at Door No. 75, Main Road, Podanur, Coimbatore District, Pin:641 023.

Applicant

(By Advocate – Mr. T.C. Govindaswamy)

V e r s u s

1. Union of India, represented by the General Manager, Southern Railway, Headquarters Office, Park Town P.O., Chennai-3.

2. The Chief Personnel Officer, Southern Railway, Headquarters Office, Park Town P.O., Chennai-3.

3. The Sr. Divisional Personnel Officer, Southern Railway, Palghat Division, Palghat.

Respondents

**(By Advocate – Mr. Varghese John for
Mr. Thomas Mathew Nellimoottil)**

The application having been heard on 24.2.2010, the Tribunal on the same day delivered the following:

O R D E R

By Mr. George Paracken, Judicial Member -

The applicant superannuated as a Relieving Porter of the Commercial Department of Southern Railway, Palghat Division on 29.2.2008. For the purpose of pension and other retirement benefits, the respondents had reckoned his service only from 18.3.1989, i.e. the date on which he has been



regularized in service.

2. According to the applicant he has initially joined the Railways as a Casual Labour on 11.7.1968 and continued so with intermittent breaks up to 20.6.1976. Thereafter, he joined the Catering Department/Southern Railway as a Commission Bearer on 10.6.1977. On and with effect from 1.12.1983 he was paid salary of the post of Bearer. Thereafter, he was transferred from one place to another and later regularized with effect from 18.3.1989.

3. The respondents in their reply have denied the contentions of the applicant regarding his service rendered prior to 18.3.1989. They have categorically stated that they have no records about his past service prior to 18.3.1989.

4. Learned counsel for the applicant has submitted that the records relating to his past service is not readily available with him and he is taking steps to search out those documents and place it before the respondents. He has therefore, sought liberty of this Tribunal to make a self contained representation to the respondents annexing therewith documentary evidence regarding his past service rendered prior to 18.3.1989.

5. In our considered opinion the aforesaid request of the learned counsel for the applicant should be accepted in the interest of justice. We, therefore, permit the applicant to make a representation annexing therewith documentary proofs regarding his past services rendered prior to 18.3.1989,

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if they are available with him. If such a representation is made, the respondents shall look into it and take a decision on it under intimation to the applicant within four months from the date of receipt of the same.

6. With the aforesaid direction this Original Application is disposed of. There shall be no order as to costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(GEORGE PARACKEN)
JUDICIAL MEMBER

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