

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.135/2003

Friday, this the 21st day of February, 2003.

CORAM :

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

1. Onathara Sivadasan
(Retd. Tech. Gr. II),
S/o Chamu, Onathara House,
Kalveri Hills, Kadalundy P.O.,
Calicut.
2. T. Balakrishnan
(Retd. Tech. Gr.I),
S/o T. Kuttayi,
Marapally House,
Mannur P.O., Calicut.
3. K. Komu(Retd. Tech. Gr.II),
S/o Moyinkutty,
Mattemal House,
Karuvantiruthy P.O.,
Via. Feroke, Kozhikode. ... Applicants

(By Advocate Mr. Varghese Prem)

Vs

1. Union of India rep. by the
General Manager,
South Eastern Railway,
Garden Reach,
Calcutta-700043.
2. Deputy Chief Personnel Officer,
South Eastern Railway,
Bhubaneshwar.
3. Accounts Officer(Pen),
For F.A & C.A.O.(Pen),
South Eastern Railway,
Garden Reach, Calcutta. ... Respondents

(By Mr. P. Haridas)

The application having been heard on 21.2.2003, the Tribunal on the same day delivered the following :

ORDER

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

Applicants three in number retired from service of South Eastern Railway during 2001-02. Their grievance is that while computing the period of qualifying service for pension in their case, the period prior to 1.1.1981 although they have served more

than 4 months or 6 months, 50% of casual labour service has not been reckoned. Applicants submitted representations which was not considered. A lawyer notice caused to the respondents to which was also the applicants did not get any reply from the respondents. Therefore the applicants jointly filed this application seeking the following reliefs :-

- (i) issue a direction to the respondents to consider and pass appropriate orders on Annexure A4
- (ii) declare that the applicants are entitled to reckon 50% of the casual labour service rendered after completing the initial 4 months or 6 months of casual service and grant them all consequential benefits;
- (iii) declare that the applicant is deemed to have acquired temporary status after completing the initial 4 months or 6 months of casual service;
- (iv) grant such other reliefs which may be prayed for and which this Hon'ble Tribunal may deem fit and proper to grant in the facts and circumstances of the case.

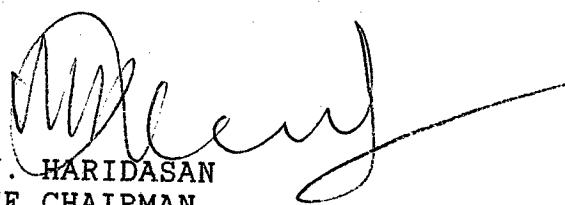
2. When the application came up for hearing on admission, Shri P. Haridas took notice on behalf of respondents. The learned counsel on either side agree that the application may be disposed of by permitting the applicants to make individual representations to the 1st respondent with relevant materials and documents and directing the 1st respondent to consider the representations and to give them speaking orders within a reasonable time.

3. In the light of the above submissions made by the counsel on either side, the application is disposed of permitting the applicants to make individual representations with relevant materials and documents to the 1st respondent within a period of



one month from today and directing the 1st respondent that on receipt of such representations, the representations shall be considered and disposed of in accordance with rules and instructions on the subject giving a speaking order to the applicants within a period of two months from the date of receipt of the representations. No costs.

Dated the 21st February, 2003.


A.V. HARIDASAN
VICE CHAIRMAN

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