

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.28/96

Tuesday, this the 9th day of January, 1996.

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATKRISHNAN, ADMINISTRATIVE MEMBER

N Gopalan,
Dolly Man(Retired),
Office of the Chief Bridge Inspector,
Southern Railway, Quilon
residing at Mundakkavila House,
Thazham(Middle), Chathanoor.P.O.
Kollam-691 572.

- Applicant

By Advocate Mr VR Ramachandran Nair

Vs.

1. Union of India represented by the General Manager, Southern Railway, Madras.
2. The Divisional Railway Manager, Southern Railway, Trivandrum.
3. The Divisional Personnel Officer, Southern Railway, Trivandrum. - Respondents

By Advocate Mrs Sumathi Dandapani

The application having been heard on 9.1.96 the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

The question that arises for consideration is whether casual service rendered prior to regularisation would be qualifying service for pension. In O.A.485/89 the Madras

Bench of this Tribunal held that such service would be qualifying service for pension. But in a later case O.A.456/93, the Madras Bench stated:

"Number of important points of law and instructions, which have been brought out in the counter affidavit, have not been discussed in the order in O.A.485/89.." "If relevant provisions of the IREM and other circulars had been properly brought out and emphasised the result may have been different."

After noticing this in O.A.1183/95, we felt that there was no precedent to be followed and observed that the Railway Board should take a decision in a matter of such importance and vast application. We permitted the applicants therein to make a detailed representation before the Chairman, Railway Board. Likewise, we permit applicant herein to raise his case in the form of a representation before the Chairman, Railway Board.

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

Dated, the 9th day of January, 1996.


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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