

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.342/2003

Thursday, this the 17th day of April, 2003.

C O R A M

HON'BLE MR K.V.SACHIDANANDAN, JUDICIAL MEMBER

Shri K.G.Gopinathan Nair,
Retired Bridge Erector Grade -II
Office of the Section Engineer
(bridges, Khurda Road Rail Division,
South Eastern Railway,
Bhadrak, Orissa.

Residing at :
'Sauparnika',
Angadikkal North P.O
Kaipattur (Via)
Pathanamthitta - 689 648

: Applicant

[By Advocate Mr.M.R.Sudheendran]

Vs.

1. The Union of India represented by its
Secretary
Ministry of Railways,
Rail Bhawan,
New Delhi

2. The Divisional Railway Manager,
Khurda Road Division,
South Eastern Railway,
Khweda Road, Jatani P.O
Khurda District,
Orissa

3. Senior Divisional Engineer (North),
Khurda Road Rail Division,
South Eastern Railway,
Khweda Road, Jatani P.O : Respondents

[By Advocate Mrs. Sumathi Dandapani]

The application having been heard on 17.04.2003, the
Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR K.V.SACHIDANANDAN, JUDICIAL MEMBER

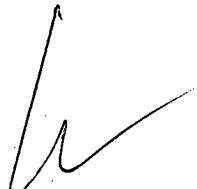
The applicant who was working under the 2nd respondent in
the South Eastern Railway has voluntarily retired from service
with effect from 31.07.2002. The voluntary retirement

application was accepted by the respondents on 16.05.2003 with effect from 31.07.2002. He claims that he had more than 25 years of service and he is yet to receive the terminal and retiral benefits from the respondents. Respondents had not granted these reliefs despite the longtime gap. Aggrieved by the same, the applicant has filed this Original Application seeking the following reliefs :-

- (i) Declare that the delay in disbursing pension and pensionary benefits due to the applicant is illegal and direct the respondent to disburse the pension and pensionary benefits due to the applicant at the earliest and with in a time limit to be fixed by this Hon'ble Tribunal.
- (ii) Direct the respondents to pay 12% interest on the pension and pensionary benefits due to the applicant with effect from 31.07.2002, the date of his retirement till the date of payment.
- (iii) Grant the costs of this Original Application.

2. When the case came up for hearing, Shri M.R.Sudheendran learned counsel, appeared for the applicant and Mrs.Sumathi Dandapani, learned counsel puts appearance on behalf of the respondents.

3. Learned counsel for the applicant submitted that he may be satisfied if Annexure A-3 representation dated 11.11.2002 or a comprehensive representation which he proposes to make, be directed to be considered by the 2nd respondent and dispose of the same within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.



4. Having heard the submissions made by the learned counsel, this Court is of the view that adopting such a course as aforesaid, will meet the ends of justice. Accordingly, the applicant is directed to submit a comprehensive representation with the relevant documents which he wants to annex, to the 2nd respondent within one month from today and if such a representation is received by the 2nd respondent, he shall dispose of the same by a speaking order as expeditiously as possible, but in any case, within two months thereafter from the date of receipt of a copy of the representation.

The Original Application is disposed of as above with no order as to costs.

Dated, the 17th April, 2003.



K.V.SACHIDANANDAN
JUDICIAL MEMBER

VS