

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 365 of 1995

Wednesday, this the 17th day of July, 1996

CORAM

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

1. K.J. Ealikutty,
Retd. Gang Woman, Kottayam.
Now residing at Karatty Plakkuzhiyil House
Kothanallur Post,
Kottayam District. .. Applicant

Versus

1. Union of India through
the General Manager,
Southern Railway, Park Town PO,
Madras-3

2. The Divisional Personnel Officer,
Southern Railway,
Trivandrum Division,
Trivandrum-14

3. The Chief Personnel Officer,
Southern Railway,
Madras. .. Respondents

By Advocate Mr. James Kurian, ACGSC

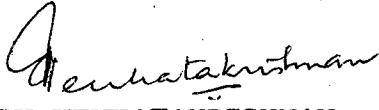
O R D E R

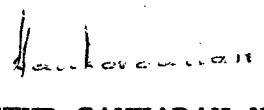
CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Neither applicant nor her Counsel is present.

Application is dismissed. No costs.

Dated the 17th July, 1996


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 365/95

TUESDAY THIS THE FIRST DAY OF OCTOBER, 1996.

CORAM:

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

K.J. Ealikutty
Retired Gang Woman,
Kottayam now residing at
Karotty Plakkuzhiyil House,
Kothanallur Post,
Kottayam District.

..Applicant

By Advocate Mr. T. C. Govindaswamy

Vs.

1. Union of India through
the General Manager,
Southern Railway
Park Town P.O., Madras-3.
2. The Divisional Personnel Officer,
Southern Railway,
Trivandrum Division,
Trivandrum-14.
3. The Chief Personnel Officer,
Southern Railway,
Madras.

..Respondents

By Advocate Mr. James Kurian, ACGSC

The application having been heard on 1st October, 1996
the Tribunal on the same day delivered the following:

O R D E R

P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant seeks a declaration that 50% of the casual service rendered by her as Gang Woman in the Southern Railway from 13.4.73 to 20.5.80 should qualify for pensionary benefits. Applicant has produced Annexure A1 to show that she has continuous service from 13.10.72 in the Open Line.

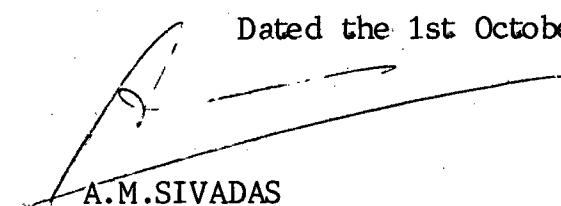
2. This Bench has consistently held the view that a

casual employee is entitled to reckon 50% of the service rendered after completion of six months continuous service from initial appointment till regularisation as qualifying service for pension (O.A. 897/96). Applicant admittedly has been regularised in service and respondents state that 50% of her service from 27.4.80 to 28.1.91 and 100% of service from 29.1.91 to 31.1.94 have been counted for pensionary benefits. Applicant prays that 50% of the earlier period of continuous casual service from 13.4.73 which is the date on which she completed six months' continuous casual service to 27.4.80 be also reckoned as qualifying service for pensionary benefits.

3. Following the decision of the Tribunal referred to above, we direct second respondent to treat 50% of the casual service from 13.4.73 to 27.4.80 as qualifying service for pensionary benefits. The pensionary benefits may be worked out on this basis and arrears paid to the applicant within four months from today.

4. The Original Application is disposed of as aforesaid.
No costs.

Dated the 1st October, 1996.


A.M. SIVADAS
JUDICIAL MEMBER

kmm


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER