

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A No. 401/2013**

Wednesday, this the 18<sup>th</sup> day of June 2014.

**CORAM :**

**HON'BLE Mr. JUSTICE A.K.BASHEER, JUDICIAL MEMBER  
HON'BLE Mr. SHASHI PRAKASH, ADMINISTRATIVE MEMBER**

K.Remavathy, aged 66 years,  
w/o K.Sudhakaran,  
(Retd Office Superintendent Gr.I/  
Southern Railway/ Personnel Branch/  
Palghat Division). Residing at House No.5,"Souparnam"  
Ramakrishna Nagar, N.S.S. Engineering College P.O.,  
Palghat -678 008. .... Applicant

(By Advocate Mr. T.C.Govindaswamy)

Vs.

1. Union of India  
Represented by the General Manager,  
Southern Railway, Headquarters Office,  
Park Town P.O., Chennai -600 003.
2. The Senior Divisional Personnel Officer,  
Southern Railway, Palghat Division,  
Palghat -678 002.
3. The Divisional Finance Manager,  
Southern Railway, Palghat Division,  
Palghat -678 002. .... Respondents

(By Advocates Mrs.Sumathi Dandapani, Senior  
Mr. Thomas Mathew Nellimoottil)

The Application having been heard on 18.06.2014, the Tribunal on  
the same day delivered the following :

**ORDER**

**HON'BLE MR.JUSTICE A.K. BASHEER, JUDICIAL MEMBER**

Applicant who retired from service while working as Superintendent (Grade-I) in the Personnel Branch of Palghat Division of Southern Railway has filed this Original Application seeking the following reliefs:

" i) Direct the respondents to grant the benefit of Annexure A-6 with all consequential benefits including arrears of pay and allowances and also retirement benefits etc.etc. within a time frame, as may be found just and proper by this Hon'ble Tribunal.

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ii) Direct the respondents to pay the applicant interest @ 9% per annum, to be compounded annually, with effect from the date from which the arrears fell due upto the date of full and final settlement of the same".

2. In response to the reliefs sought for, the respondents in para 10 of the written statement have stated thus :

*"With regard to the averments contained in paragraphs 4(a) of the OA, it is submitted that as the Annexure A-6 restructuring order so far as the applicant is concerned shall be subject to final outcome of WP(C) NO.8019/2007. As the Hon'ble High Court had remanded back the matter to this Hon'ble Tribunal, the same would be subject to outcome of OA No. 927/2004. The allegation of arbitrariness, etc. on the part of respondents is thus denied".*

3. In the additional written statement, the respondents have dealt with the above issue rather elaborately in para 2 & 3. However, the only contention raised by the respondents appears to be that the benefits that would be available in terms of Annexure A-6 will be subject to the orders of O.A.No. 927/2004. Sri Govindaswamy submits that the applicant will be satisfied if a direction is issued to grant the benefits under Annexure A-6 subject to the outcome of O.A. No. 927/2004. In the peculiar facts and circumstances of the case, we are satisfied that the above prayer is only just and reasonable.

4. The respondents shall release the benefits of restructuring in terms of Annexure A-6 order to the applicant after obtaining an appropriate undertaking from him. This shall be done as expeditiously as possible, at any rate within four weeks from the date of receipt of a copy of this order.

5. Original Application is disposed of on the above terms. No costs.

( Dated this the 18<sup>th</sup> day of June, 2014)

S. Lax.  
SHASHI PRAKASH  
ADMINISTRATIVE MEMBER

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A. K. Basheer  
JUSTICE A.K.BASHEER  
JUDICIAL MEMBER