

**Central Administrative Tribunal, Lucknow Bench,**

**Lucknow**

**Original Application No. 536/2009**

This the 31<sup>st</sup> March, 2010

**Hon'ble Dr. A.K. Mishra, Member(A)**

Heeralal Goswami aged about 60 years S/o Late Muneshwar Perasad R/o Village Jhauhana Deeha Post Office Jhauhana Police Sttioin Kaudiya Bazar, Tehsil Colonelganj, District Gonda.

.....Applicant

By Advocate: Sri Amit Verma for Shri A. Moin.

**Versus**

Union of India through

1. General Manager, North Eastern Railway, Gorakhpur.
2. Divisional Railway Manager, North Eastern Railway, Ashok Marg, Lucknow.

.....Respondents

By Advocate: Sri Deepak Shukla for Shri Prashan Kumar.

**ORDER (Oral)**

Heard the learned counsel for the parties.

2. This is a matter relating to non-payment of pensionary dues. The applicant has retired on 31.03.2009.
3. According to the learned counsel for the applicant, the applicant joined as casual employee at Gonda coming under North Eastern Railway in the year 1975. According to him he has rendered 34 years of service with the North Eastern Railway before retirement but his claim for pension has not yet been settled.
4. The learned counsel for the respondents submits that the applicant was regularized as an employee of North Eastern Railway on 08.04.2004; before that his status was

that of a casual employee. Since he had rendered only 5 years of service as a regular employee, his claim for pension has not been allowed treating him as ineligible.

5. Be that as it may, the learned counsel for the applicant has no objection if a direction is issued to the competent authority to treat this OA as a fresh representation and decide it by passing a speaking order according to Railway Service (Pension) Rules, 1993.

6. In the circumstances, the competent authority is directed to treat this OA alongwith its enclosures as fresh representation and decide it within a period of two months from the date of supply by passing a speaking order on the basis of relevant rules of the railways.

7. The OA is accordingly disposed of. No costs.

  
(Dr. A.K. Mishra)  
Member-A

Amit/-