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CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, PATNA

OA No.15 of 2006

Date of order : 9th March, 2006

C O R A M

Hon'ble Mr. Justice P.K.Sinha, Vice-Chairman

Ganga Prasad ..... Applicant

Vrs.

Union of India & Ors. ..... Respondents.

Counsel for the applicant : Shri S.K.Singh

Counsel for the respondents : None

O R D E R [ ORAL ]

Justice P.K.Sinha, VC :-

The applicant was a government employee working under the respondents and he superannuated from the service from the post of Mate on 31.1.2004. The service certificate is at Annexure-A/1. The learned counsel for the applicant submits that it has clearly been mentioned in the official document attached to PPO [Annexure-A/2] that he <sup>had</sup> entered into service on 5.4.1965 and <sup>had</sup> superannuated on 31.1.2004, thereby, after performing

*B.N.G*

service for more than 38 years. His period of service should have been counted in accordance official order issued at Annexure-A/3 dated by 10.1.1995 but his service period was reduced almost ten years and his pensionary benefits have been calculated as such. The learned counsel submits that similarly situated person, namely Ganga, son of Tulo <sup>II</sup> had came before this Tribunal in O.A. 501 of 2000 which was disposed of vice order dated 7.8.2000 directing the respondents to consider the matter and to record speaking order, after which the correct pensionary benefits were awarded by the respondents to Shri Ganga.

2. Shri Mukundjee, Id. counsel for the respondents, unfortunately on calls, did not appear, however, Shri A.A.Khan, Id. SC for the respondents railways is present. In a number of case this court has noted that the learned counsel for the official respondents take the cases casually.

3. In the circumstances of the case, in my opinion, this application can well be disposed of by giving certain directions to the Respondent No.5, the Divisional Railway Manager [Personnel], EC Railway, Sonpur <sup>as</sup> to treat this application as a representation, though the lawyers notice at Annexure-A/8 also appears to be pending with the respondents, and to consider the reliefs as sought by the applicant in this application as well the prayer for payment of rest of his provident fund and to record a speaking order within three



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months of the receipt of a copy of this order. If the prayer/prayers of the applicant find favour with the Respondent No.5 and the same is allowed, the arrears thereafter shall be paid within one month of the recording of the order of the Respondent No.5 failing which the amount,with interest @8 per cent per annum,thereafter would be payable. The applicant is also directed to provide a copy of this order along with a copy of this application with annexures as also a chart showing the claim on account of provident fund residue amount,within fifteen days of the receipt of certified copy of this order.

4. With the aforesaid directions, this application stands disposed of.



[ P.K.Sinha ]  
Vice-Chairman

mps.