

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**BOMBAY BENCH, MUMBAI.**

**ORIGINAL APPLICATION NO.:** 427 of 2000.

*Dated this Monday, the 18th day of February, 2008*

**CORAM** : Hon'ble Shri Jog Singh, Member (J).

Shri Gyanendrapal Singh,  
Retired Motorman, Mumbai Division,  
R/o. Nitesh Co.op. Hsg. Society,  
Flat No. 17, 4<sup>th</sup> floor,  
Near Prem Auto Petrol Pump,  
Kalyan Dist., Thane.

... *Applicant*

*(By Advocate Shri K.B. Talreja)*

**VERSUS**

1. The Union of India through  
The General Manager,  
Central Railway,  
Mumbai C.S.T.
2. The Divisional Railway Manager,  
Central Railway, Mumbai CST.

... *Respondents*

*(By Advocate Shri R.R. Shetty)*

**ORDER (ORAL)**

*Per : Shri Jog Singh, Member (J).*

The applicant, who was working as a Motorman with the respondents-Railways, retired from service on attaining the age of superannuation on 31.03.1995. He has approached this Tribunal in the present O.A. praying for the following reliefs :

"(i) This Hon'ble Tribunal may kindly be pleased to direct the respondents to fix the pension of the applicant correctly in the revised scales of pay as recommended by the Vth Pay Commission and also grant him the benefit of 40% of commuted value of pension.



Earned leave encashment is 300 days instead of 140 days, may kindly be given to him.

The revised gratuity along with interest may kindly be awarded.

In short, pension and retirement benefits may kindly be worked out and given to the applicant as per rules.


(ii) Any other relief/reliefs as this Hon'ble Tribunal may deem fit and appropriate.

(iii) It is also requested to saddle the cost on the Respondents."

2. The learned counsel, Shri K.B. Talreja, who appears for the applicant, states that the applicant had performed his duties upto midnight of 31.03.1995 and, therefore, for all practical purpose the applicant is deemed to have retired on 01.04.1995. The contention of the learned counsel in this regard is that the applicant is, thus, entitled to all the retiral benefits as on 01.04.1995.


3. The next grievance of the applicant is that the payment of Leave Encashment and payment towards gratuity, etc. were paid to him much after his retirement and, hence, he is claiming interest thereon.

4. During the course of argument, it is noted that, the applicant has preferred a detailed representation on 15.05.2000 and the same has not yet been decided by the respondents. It is also noted that, by and large, a small grievance has been raised by the applicant in his representation and the respondents should themselves make an attempt to redress the same while disposing of the representation, duly keeping in view the fact that the applicant is a senior citizen and has retired at least 12 years ago. Therefore, it is hoped that the respondents would



give a sympathetic treatment to the representation of the applicant by duly taking into consideration the observations made herein above within a period of three months from the date of receipt of a copy of this order. Needless to say that in case the applicant is still aggrieved by the final outcome of the representation, he would be at liberty to approach this Tribunal by way of fresh O.A. and the point of limitation will not come in the way of the applicant.

5. The O.A. stands disposed of in terms of the above directions. No order as to cost.

  
(JOG SINGH)  
MEMBER (J)

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