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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR.

O.A.NO. 364/93
T.R.A.NO.

199

DATE OF DECISION 26.4.1994

Shri Neemchand Ramasra

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

1. Whether it be referred to the Reporter or not ? M.
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? M.

MEMBER


(M.S. DESHPANDE)
VICE CHAIRMAN

mbm:

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH, BOMBAY

CAMP : NAGPUR

OA NO. 364/93

Shri Neemchand Ramasra

... Applicant

v/s.

Union of India & Ors.

... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande

Appearance

Shri R.V.Patil

Advocate

for the Applicant

Shri P.N.Chandurkar

Advocate

for the Respondents

ORAL JUDGEMENT

Dated: 26.4.1994

(PER: M.S.Deshpande, Vice Chairman)

The only question which arises for consideration in this case is whether the applicant's qualifying service for pensionary benefits was 38 years as alleged by the applicant or 28 years as accepted by the respondents.

The applicant was appointed as casual labour in July, 1951 and he came to be confirmed on 1.1.1972. The applicant's contention is that the entire service from July, 1951 upto the date of retirement should have been taken as qualifying service.

2. Shri Chandurkar for the respondents relies on a judgement of the Division Bench of the Ernakulam Bench of this Tribunal in A.N.Kesavan Nair & Ors. vs. The General Manager, Southern Railway, Madras & Anr. A.I.S.L.J. XI-1993(3) at page 340 and Estt.Srl.No.239/80 at page 349 of the South Eastern Railway Establishment Serial Circulars 1980. Under

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these the concession of counting half of the service from the date of acquiring temporary status as qualifying for pensionary benefits. This is ^{the} manner in which the applicant's qualifying service has been worked out by the respondents and no exception can be taken to the pension fixed ^{and} to the respondents' calculation of the qualifying service for pension. Shri Patil states that he does not press the other prayers raised in this application. There is no merit in the application, it is dismissed.

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(M.S.DESHPANDE)

VICE CHAIRMAN

mrj.