

(31)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

DA 338/96.

Dt. of Order: 19-3-96.

P.Devadanam

... Applicant

Vs.

1. The General Manager,
S.C.Railway, Rail Nilayam,
Secunderabad.
2. The Chief Operating Manager,
S.C.Railways, Rail Nilayam,
Sec'bad.
3. The Divisional Railway Manager,
S.C.Railway, Sanchalan Bhavan,
SEC'bad.
4. The Loco Forman, S.C.Railway,
Kazipet, Warangal.

... Respondents

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Counsel for the Applicant : Sri N.Krishna Rao

Counsel for the Respondents : Sri V.Rajeshwar Rao, SC for Rlys

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CORAM:

THE HON'BLE JUSTICE SRI M.G.CHAUDHARI : VICE-CHAIRMAN

THE HON'BLE SHRI H.RAJENDRA PRASAD : MEMBER (A)

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... 2.

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DA 338/96.

Dt. of Order:19-

(Per Hon'ble Justice Sri M.G.Chaudhari, Vice-Chairman).

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Sri N.Krishna Rao for the applicant and Sri V.Rajeshwar Rao, learned standing counsel for the Respondents. By consent taken up for orders. The applicant was a party ~~and being~~ applicant in DA 103/89. He has retired on superannuation on 31-7-93. He has a grievance about the correctness ^{of} the calculation of the retiral benefits ^{made} by the respondents vide Annexure A-3 dt.1-2-95. His ~~grievance~~ ^{grievance} is that the calculations are not in accordance with the directions of the Hon'ble Supreme Court in its order dt.5-8-93 governing the appeal, in which he was ~~not~~ a party and the order of the Tribunal in RA 109/90 etc.,.

2. Applicant in DA 92/89 ^{on} ~~had~~ similar facts and with the similar grievance had filed DA 337/96. We have disposed of that O.A. by separate order in which detail ^{ed} reasons are indicated. The position in both the matters being same, similar order therefore is passed on this O.A. We are therefore unable to entertain any dispute in the present form as the applicant had not invited a decision from the respondents in that respect. The calculations were made by the respondents as far back as on

1-2-95. The applicant has lost time for more than a year in


... 3.
... the Supreme Court and of this Tribunal,
... the respondents. However, as regards the spirit

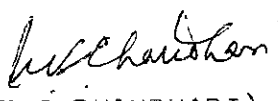
(33)

we are inclined to give an opportunity to the applicant in ~~which~~ the interest of justice to submit proper representation to Respondent No.3. If such a representation is filed, the respondent No.3 or such other authority as competent to deal with the same shall dispose of the same in accordance with the rules and if necessary after giving opportunity to the applicant of being heard. In the result we give liberty to the applicant to file a representation to the respondent No.3, if so advised, within a period of one month from today. The representation shall be precise elucidating the claims on different items and shall not be in the nature of a general representation. The ~~question being~~ the question being examined by the authorities in accordance with the rules. If such a representation is filed within the stipulated time, the Respondent No.3 shall deal with it on merits ~~in the~~ light of the observations made above and convey ^{the} reply thereon to the applicant. If still aggrieved, the applicant will be at liberty to adopt such legal remedies as he may be advised including approaching this Tribunal.

3. O.A. disposed of in terms of above order, no order as to pass.


No costs.


(H. RAJENDRA PRASAD)
Member (A)


(M.G. CHAUDHARI)
Vice-Chairman

Dated: 19th March, 1996.
Dictated in Open Court.

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Deputy Registrar (CC)

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-4.-

To

1. The General Manager, SC Rly,
Railnilayam, Secunderabad.
2. The Chief Operating Manager,
SC Rlys, Railnilayam, Secunderabad.
3. The Divisional Railway Manager,
SC Rly, Sanchalan Bhavan, Secunderabad.
4. The Loco Foreman, SC For Rlys,
Kaxipet, Warangal.
5. One copy to Mr.N.Krishna Rao, Advocate, CAT.Hyd
6. One copy to Mr.V.Rajeshwar Rao, SC for Rlys, CAT.Hyd.
7. One copy to Library, CAT^T.Hyd.
8. One spare copy.

pvm

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TYPED BY
COMPARED BY

MA-44096
338796
CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

DATED:

6/6/96

ORDER/JUDGEMENT

M.A. NO/R.A./C.A. No. 44096

IN

B.A. NO.

338796

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

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