

(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.

OA 338/96.

Dt. of Order: 19-

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

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 OA 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 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 OA 92/89 had similar facts and with the similar grievance had filed OA 337/96. We have disposed of that O.A. by separate order in which detailed 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

having

However, as regards the spirit

atching the respondents, the Supreme Court and of this Tribunal,

we are inclined to give an opportunity to the applicant in  
view of the interest of justice to submit proper representation to  
Respondent No.3. If such a representation is filed, the res-  
pondent 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 examined by the authorities in accordance with  
the rules. If such a representation is filed within the stipula-  
ted time, the Respondent No.3 shall deal with it on merits in the  
light of the observations made above and convey <sup>the</sup> reply thereon  
to the applicant. If still aggrieved, the applicant will be at  
liberty to adopt such legal remedies as he may be advised in-  
cluding approaching this Tribunal.

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

No costs.

H.RAJENDRA PRASAD  
(H.RAJENDRA PRASAD)  
Member (A)

M.G.CHAUDHARI  
(M.G.CHAUDHARI)  
Vice-Chairman

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

av1/

Amrit Singh  
Deputy Registrar (S) CC

-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,  
Kazipet, 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.Hyd.
8. One spare copy.

pvm

TYPED BY  
COMPARED BY

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. 440796

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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केंद्रीय प्रशासनिक विधिकरण  
Central Administrative Tribunal  
DEPT/DESPATCH

17 JUN 1996 NEW

हैदराबाद व्याख्यान  
HYDERABAD BENCH