

35

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.463/97.

Dt. of Decision : 06-01-99.

N.A.Naresimha Raju

.. Applicant.

Vs

1. The Union of India, rep. by its General Manager, SC Rly, Secunderabad.
2. The Divl. Rly. Manager, SC Rly, Vijayawada.
3. The Sr.Divl. Signal and Telecommunications Engineer, Construction Wing, SC Rly, Vijayawada.

.. Respondents.

Counsel for the applicant

: Mr.N.Rama Mehene Rao

Counsel for the respondents

: Mr.V.Bhimanna, Addl.CGSC.

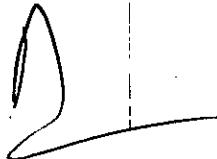
CORAM:-

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

5

..2



ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.))

Heard Mr.Siva for Mr.N.Rama Mehan Rao, learned counsel for the applicant and Mr.V.Bhimanna, learned counsel for the respondents.

2. The applicant in this OA submits that he ~~is working~~ ^{worked} as ELR Khalasi/Storemate right from 10-7-72 till he retired ~~from~~ ^{on} service on 31-5-95. He was given a pension on the basis of the basic pay of Rs.997/-. But he claims pension for the period from 10-7-72 to 20-4-77. During that period he submits that he was ~~in~~ a temporary status casual labour in the open line.

3. This OA is filed for consideration of the length of service rendered by him from 10-7-72 to 11-4-77 also for fixing his pension and pensionary benefits accordingly.

4. A reply has been filed in this OA. In the reply it is stated that the applicant was not a temporary status casual labour prior to 20-4-77 in open line organisation. He was employed in construction organisation and that period will not count for counting of his service for the sake of pension and pensionary benefits. It is stated in page-3 of the reply, ^{that} the qualifying service of the applicant was counted from the date i.e., 20-4-77 when he was working as temporary status khalasi in the open line to regular absorption on 12-6-77 and from 12-6-77 to his date of retirement i.e., 31-5-95. ^{on} that basis the pensionary benefits were calculated and hence the applicant has got no case.

R

A

..3/-

-3-

5. No rejoinder has been filed in this OA. The applicant has not brought out any service details in regard to his working as a temporary status in the open line right from 10-7-72 to 20-4-77. These details are very essential. Hence, no direction can be given in this OA unless these details are produced with proper records. As no rejoinder has also been filed the statement of the respondents could not also be doubted as it is taken from the official records.

6. Under the facts and circumstances of the case the following direction is given:-

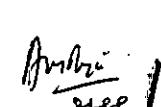
The applicant should submit a detailed representation for the ~~relief~~ asked for in this OA to R-2 enclosing necessary records to ^{ve} proof his case. If such a representation is received within a period of 2 months from the date of receipt of a copy of this order the same should be disposed of within a period of 2 months from the date of receipt of that. If required the applicant may be given a personal hearing also in this connection.

7. With the above direction the OA is disposed of.
No costs.


(B.S.JAI PARAMESHWAR)
MEMBER (JUDL.)

6-1-99


(R. RANGARAJAN)
MEMBER (ADMN.)


Amrit
HPP

Dated : The 6th January, 1999.
(Dictated in the Open Court)

SPR

95/99.

1ST AND 2ND COURT

COPY TO:-

1. HDHNS
2. HHRP M(A)
3. HGBJP M(J)
4. D.R.(A)
5. SPARE

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR
VICE CHAIRMAN

THE HON'BLE MR. H. RAZENDRA PRASAD
MEMBER (A)

THE HON'BLE MR. R. RANGARAJAN
MEMBER (A)

THE HON'BLE MR. B. S. JAI PARAMESWAR
MEMBER (J)

DATED: 6/1/99

ORDER/JUDGMENT

D.A./R.A./C.P.NO.

In

D.A. NO. 463/97

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

2 Copied

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
शेष्य / DESPATCH

13 JAN 1999

हैदराबाद आवासीय
HYDERABAD BENCH