

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.113 of 1997

DATE OF ORDER: 30th December, 1997

BETWEEN:

K.RAJU

.. APPLICANT

1. Union of India rep. by its General Manager,  
South Central Railway,  
Secunderabad,

2. The Divisional Railway Manager,  
S.C.Railway,  
Guntakal.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.K.K.CHAKRAVARTHY

COUNSEL FOR THE RESPONDENTS: Mr.K.SIVA REDDY, Adl.CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

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

JUDGEMENT

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

Heard Mr.K.K.Chakravarthy, learned counsel for the applicant and Mr.K.Siva Reddy, learned standing counsel for the respondents.

2. This OA is filed for declaration that the action of the respondents in fixing the pension of the applicant at Rs.450/- in the scale of pay of Rs.950-1500 on a basic of Rs.1150/- is illegal, arbitrary and contrary to the

*[Signature]*

*[Signature]*

rules and as such to direct the respondents to fix the pension at Rs.570/- taking into consideration of the total service in full of 34 years by ordering payment of the difference and all consequential benefits with effect from 1.10.91.

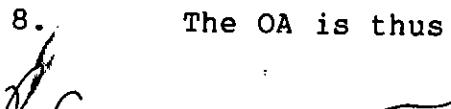
3. The applicant's representation dated 8.7.92 has been disposed of by the letter nO.G/P.500/II/OA.113/97 dated 8.9.97 which is attached to the reply. Hence the OA also needs revision challenging this order.

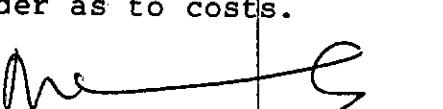
5. It is now stated by the learned counsel for the applicant that the applicant is no more and hence he wants to bring LR on record for prosecuting this case. LR petition is still to be filed.

6. When the case was posted today, the learned counsel for the applicant submitted that the <sup>LRs of the applicant will</sup> file a comprehensive OA ~~by the LR~~ and also challenge the order referred to above. He further submitted that in view of the above, he is withdrawing this OA with liberty to file a fresh OA for the same cause by the LR<sup>s</sup> of the applicant also challenging the order referred to above.

7. In view of the above submission, the applicant is permitted to withdraw this OA and liberty is given to file a fresh OA as stated above in accordance with the rules.

8. The OA is thus disposed of. No order as to costs.

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

  
(R.RANGARAJAN)  
MEMBER (ADMN.)

30.12.97

DATED: 30th December, 1997  
Dictated in the open court.

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**Copy to:**

1. The General Manager, South Central Railway, Secunderabad.
2. The Divisional Railway Manager, South Central Railway, Guntakal.
3. One copy to Mr.K.K.Chakravarthy, Advocate, CAT, Hyderabad.
4. One copy to Mr.K.Siva Reddy, Addl.CGSC, CAT, Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One duplicate copy.

YLKR

12/1/98  
TYPED BY  
COMPARED BY

1. Court

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

~~THE HON'BLE MR.JUSTICE  
VICE-CHAIRMAN~~

AND  
R. Rangarajan  
THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

And  
The Hon'ble Mr. B. S. Jai Parameshwar  
M(J)

DATED: 30 - 12 - 1997

ORDER/JUDGMENT:

M.A./R.A./C.A.No.

in

O.A.No. 113/97

T.A.No.

O.W.R

Admitted and Interim directions  
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

