

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA No. 360/94 : Date of order 18.8.94

Rewar Mal : Applicant

V/s

Union of India & Others : Respondents

Mr. S.K. Jain : Counsel for the applicant.

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Hon'ble Mr. Gopal Krishna, Member (Judicial)

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (JUDICIAL)

Applicant Rewar Mal in this application u/s 19 of the Administrative Tribunals Act, 1985, has prayed for the following reliefs:-

"1) that by an appropriate writ, order or direction, the respondents be ordered to pay the arrears of salaries of revised pay scales from 1.9.1988 till his date of retirement or from any other date from which the benefit of revised pay scales as is granted to other railway servants and pay 18% per annum interest upon the arrears of salary and pay provident fund accordingly.

ii) that by an appropriate writ, order or direction, the respondents be ordered to give the commutation leave encashment and medical benefits and the retirement passes as are given to other retired railway servants.

iii) that the respondents be directed to make the payment of pension to the applicant from 15.11.91 and pay 18% interest per annum thereupon till the date of payment and also pay commutation of pay and other retiral benefits.

iv) any other relief which this Hon'ble Tribunal deems fit may also be granted to the applicant."

2. I have heard the learned counsel for the applicant and have gone through the records of the case.

3. The learned counsel for the applicant has drawn my attention to a decision of a Division Bench of this Tribunal in

C/Krishna TA no. 1982/86 (CS 48/76) (Rewar Vs. Union of India & Others)

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dated 31.7.92, the operative portion of which reads as follows:-

"In the result, we accept the TA, set aside the termination order and direct that 50% of the wages from the date of termination to the date of superannuation i.e. 21.11.74 to 14.11.91 (AN) be paid within 4 months of this order. The applicant will also be entitled to get the benefit of revision of pay-scales. The applicant should be treated as retired employee after attaining the age of superannuation on 14.11.1991 (AN). The OA is disposed of accordingly. Parties to bear their own costs."

4. The applicant has admittedly ~~has~~ not made any representation to the concerned authorities in regard to the grant of pension and other benefits as admissible under rules. The applicant now wants to make a representation to the concerned authorities regarding his grievance.

5. This OA is disposed of at the stage of admission with the direction to the applicant to make a representation to the concerned authorities within 15 days of this order and the respondents are directed to dispose the representation within a month of the receipt of the representation by them in accordance with rules keeping in view the decision rendered by a Division Bench of this Tribunal on 31.7.92 in TA 1982/86 (Rewar Vs. Union of India & Others). If the applicant is aggrieved by any decision taken on his representation, he shall be at liberty to file a fresh OA.

C. Krishna  
(Gopal Krishna)  
Member (J)