

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 19/11/2011

OA 487/95

Hanuman s/o Shri Ghazi Ram r/o D-17, Satya Nagar, Khatipura Road, Jhotwara, Jaipur, last employed as Shunting Jamadar in Traffic Department, Sawai Madhopur, Western Railway, Kota Division.

... Applicant

v/s

1. Union of India through General Manager, Western Railway, Churchgate, Mumbai.
2. Divisional Personnel Officer, Western Railway, Kota Division, Kota.

... Respondents

CORAM:

HON'BLE MR. S. K. AGARWAL, JUDICIAL MEMBER

HON'BLE MR. A. P. NAGPATH, ADMINISTRATIVE MEMBER

For the Applicant ... None

For the Respondents ... Mr. Manish Bhandari

O R D E R

PER HON'BLE MR. A. P. NAGPATH, ADMINISTRATIVE MEMBER

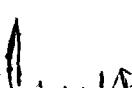
Applicant of this OA retired w.e.f. 22.2.88 on medical grounds. His settlement dues were paid to him on the basis that at the time of retirement he was working as Points Jamadar in scale Rs.950-1500. The applicant claims that he was in fact working as Shunting Jamadar in scale Rs.1400-2300 at the time of his retirement and seeks direction to the respondents to revise his pension Payment Order and his settlement dues as a consequence.

2. The respondents have denied that the applicant retired from the



post of Shunting Jamadar. They have in fact placed before us his service record, which we have perused carefully. There is not even an iota of evidence to suggest that the applicant was ever promoted to the post of Shunting Jamadar. The service record clearly indicates that the applicant retired on medical grounds on 22.2.88 while working as Points Jamadar. The applicant has tried to rely upon a document, placed at Ann.A/1, which, he submits, is a copy of the certificate issued by the Station Superintendent, Sawai Madhopur. We have seen Ann.A/1 and we find it is not worthy of giving any cognizance. It does not have a form of an official letter or order and it is apparently an attempt on the part of the applicant to mislead the Tribunal on facts. The applicant ^{draw} has also tried to support from decision of this Tribunal in TA 373/92. We have gone through the said order in which Kanhaiya Lal is the applicant. The said TA was disposed of by taking note of the statement of the respondents that there was no intention to revert the persons after 12 years and that they are continuing on the posts which they held. No meaning can be derived from this order to conclude that the applicant was Shunting Jamadar. The order only means that the status-quo in respect of the applicant was to be continued. The applicant was a Points Jamadar and he continued as such till the date of his retirement. We find this OA as totally misconceived and without any foundation.

3. We, therefore, dismiss this OA as totally devoid of merit. No order as to costs.


(A.P.NAGRATH)

MEMBER (A)


(S.K.AGARWAL)

MEMBER (J)