

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR
BENCH, JABALPUR

Original Application No. 228 of 2006

Jabalpur, this the 27th day of April, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman
Hon'ble Mrs. Meera Chhibber, Judicial Member

Narmada Prasad Malviya,
S/o. Shri Sukhdeo Prasad Malviya,
Aged about 65 years,
R/o. Ward No. 5 Old Itarsi,
District Hoshangabad (MP)

.....

Applicant

(By Advocate – Shri Devesh Khatri)

V e r s u s

1. Union of India,
Through the Chairman,
Railway Board, Ministry of Railway,
Rail Bhawan, New Delhi.
2. The General Manager,
West Central Railway,
Jabalpur.
3. The Divisional Railway Manager,
West Central Railway,
Bhopal (MP).

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Respondents

O R D E R (Oral)

By Mrs. Meera Chhibber, Judicial Member -

By this OA the applicant has sought the following relief:

“(i) That, this Hon'ble Tribunal may kindly be pleased to direct to the respondents to give the parity as Pritam Singh's case for releasing full gratuity from the age of superannuation to the applicant. In the interest of justice.

(ii) That, this Hon'ble Tribunal may kindly be pleased to call the entire record it relates to Pritam Singh's case and applicant's case from the respondent No. 1 for proper adjudication of the matter, in the interest of justice.



(iii) That, any other relief may be deemed fit and proper and may also be awarded in favour of the applicant, in the interest of justice."

2. The applicant has based his entire case on the judgment of Pritam Singh annexed as Annexure A-1 to the OA. It is submitted by the applicant that he has already given a representation to the authorities (page 15 and Annexure A-6 at page 19) but till date no reply has been given, ~~thereafter~~^{whereafter}, he was left with no other option but to approach this Tribunal.

3. We have heard learned counsel for the applicant and had suggested to him that if he wants proper adjudication of the matter by the authorities, he should give a self contained representation alongwith all the judgments which he has relied upon in his representation dated 2.11.2004, so that the authorities may apply their mind to his request and pass appropriate orders thereon. The learned counsel for the applicant has submitted that he is relying only on the judgment of Pritam Singh, which he has already annexed to this OA. Therefore, let directions be given to the respondents to atleast consider this representation and decide it by passing a speaking order.

4. In the OA as well as in the representation ~~the~~ applicant has relied upon several judgments including that of Pritam Singh, but except the judgment of Pritam Singh decided on 2.5.94 ^{no} ~~any~~ other judgments have ~~not~~ been annexed by him.

5. We are still giving liberty to the applicant to file a self contained representation alongwith all the judgments which he wishes to rely ^{upon} ~~within~~ two weeks from the date of receipt of copy of this order to the authorities, by giving the details of his own service particulars and explaining how he is entitled to get the benefit of the said judgments.

6. In case applicant gives such a representation to the respondent No. 3, the respondent No. 3 shall consider his representation and



decide the same by passing a speaking and detailed order within a period of four months under intimation to the applicant.

7. With the above direction, this OA stands disposed of.

27/4/06
(Mrs. Meera Chhibber)
Judicial Member

Gawal
(Dr. G.C. Srivastava)
Vice Chairman

"SA"

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....

पत्तिलिपि आद्योदित:-

- (1) अधिक, उच्च न्यायालय बार एसोसिएशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/कु.....के काउंसल
- (3) प्रत्यर्धी श्री/श्रीमती/कु.....के काउंसल
- (4) दफ्तर, को.प्र.अ., जबलपुर न्यायापीठ
सूचना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार

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Devoh Khatri
22/2/06
Res No 3
(with copy
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