

**CENTRAL ADMINISTRATIVE TRIBUNAL,**  
**JABALPUR BENCH,**  
**JA BALPUR**

**Original Application No.703 of 2006**

**Jabalpur this the 27<sup>th</sup> day of October, 2006.**

**Hon'ble Dr.G.C.Srivastava, Vice Chairman  
Hon'ble Shri A.K.Gaur, Judicial Member**

Abdul Nazeem Khan, son of Abdul Aziz Khan, aged about 60 years, Retired Loco Inspector-Junnardeo, Distt:Chhindwara, M.P.

**-Applicant**

(By Advocate – Shri N.S.Pathak)

**V E R S U S**

1. Union of India, Through the Ministry of Railway, New Delhi.

2. The D.R.M., Central Railway, Nagpur (MS).

**-Respondents**

(By Advocate – Shri V.Tripathi)

**O R D E R(Oral)**

**By Dr.G.C.Srivastava,VC.-**

This Original Application has been filed by the applicant seeking direction of this Tribunal to the respondents for providing him the benefit of circular dated 11.3.2004 (annexure A-2) regarding merger of 50% dearness allowance/dearness relief with basic pay/pension to Railway employees/pensioners w.e.f. 1.4.2004. It has been submitted by the learned counsel for the applicant that the applicant retired on superannuation on 31.3.2004 but he has been deprived of his legitimate claim to get the benefit

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of the aforesaid circular. The applicant has submitted a representation to the DRM (P), Nagpur (annexure A-4) to which no reply has been received.

2. Heard the learned counsel for the applicant and Shri V. Tripathi, learned standing counsel for respondents.

3. The learned counsel for the applicant has stated that the applicant would be satisfied if the authorities are directed to consider the aforementioned representation and give a suitable reply to the applicant. Accepting this prayer, we hereby direct the respondents to consider the aforementioned representation submitted by the applicant (annexures A-4) and pass a detailed, reasoned and speaking order, and take appropriate action thereon within a period of three months from the date of receipt of a copy of this order. With this direction, the OA is disposed of. Be it noted that we have not considered the OA on merit.

4. A copy of the OA along with a copy of this order be supplied to Shri Tripathi, learned counsel for respondents for official use.

*In Gaur*  
**(A.K.Gaur)**  
 Judicial Member

*Dr.G.C.Srivastava*  
**Vice Chairman**

rkv

प्रकाशकन संग ओ/न्या..... जवलपुर, दि.....  
 प्रतिनिधि द्वारा दिया:-

- (1) राज्यपाल द्वारा दिया..... के दाउसल
- (2) अधिकारी द्वारा दिया..... के दाउसल
- (3) अधिकारी द्वारा दिया..... के दाउसल
- (4) अधिकारी द्वारा दिया..... के दाउसल

सूचना एवं अवधारणा प्राप्त की गयी।

उप रजिस्ट्रर

*N.S.Thakur*  
*32/200*  
*V.Tripathi*  
*32/200*  
*(with com/for)*

*31/10/06*