

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 331 of 2005

Jabalpur, this the 15th day of April, 2005

Hon'ble Shri Madan Mohan, Judicial Member

Mahesh Sukhlal, Ex-Gangman AEN(M),
Narsinghpur (WCR, JBP. Division), Resident
of Hardua, PO – Adhrar Tahsil Pawai,
Distt. Panna (MP).

.... Applicants

(By Advocate – Shri H.S. Verma)

V e r s u s

1. Union of India, through -
Secretary, Ministry of Railways,
Rail Bhawan, New Delhi.

2. General Manager, West Central
Railway, Jabalpur.

3. Divisional Rail Manager,
West Central Railway, Jabalpur.

.... Respondents

(By Advocate – Shri M.N. Banerjee, Standing Counsel for the Railways)

O R D E R (Oral)

By filing this Original Application the applicant has claimed the following main reliefs :

“(i) to declare the applicant entitled for sanction of pension and pensionary benefits from 1.8.2003,

(ii) to direct the respondents to issue pension payment order to the applicant with effect from 1.8.2003,

(iii) to further direct the respondents to make the payment of pension alongwith interest thereon @ 18% per annum from 1.8.2003.”

2. The brief facts of the case are that the applicant has served in the Railways for 30 years including his casual service period. He was



working as Gangman and retired on 31st July, 2003 on superannuation Annexure A-1. The respondents have not sanctioned the pensionary benefits to the applicant for which he has duly entitled since 1st August, 2003. The applicant submitted several representations which included representation dated 20th November, 2004 (Annexure A-8). Ultimately he served a legal notice through his lawyer dated 10th January, 2005 (Annexure A-9). All his representations and the legal notice are still pending for consideration. The learned counsel for the applicant argued that he will feel satisfied if directions are given to the respondents to consider and decide the representation and legal notice of the applicant within a stipulated time.

3. Heard the learned counsel for the applicant as well as Shri M.N. Banerjee, Standing counsel for the Railways.
5. Accordingly, I feel that ends of justice would be met if I direct the respondents to consider the said representation of the applicant dated 20th November, 2004 (Annexure A-8), legal notice dated 10th January, 2005 (Annexure A-9) and also treat this OA as part of the representation and decide the same by passing a speaking, detailed and reasoned order within a period of three months from the date of receipt of a copy of this order. I do so accordingly. The learned counsel for the applicant is directed to send a copy of this order as well as the copy of the petition to the respondents immediately.
6. In view of the aforesaid, the Original Application stands disposed of at the admission stage itself.


(Madan Mohan)
Judicial Member