

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

O.A. NO. 4/2003

Pannalal, S/o. Mahadeo, aged
about 62 yrs., Ex-Helper Khalasi,
C&W New Katni Junction, Jabalpur
Division, R/o. Village Post Barhi,
Distt. Katni (M.P.).

... Applicant

V e r s u s

1. Union of India,
Through : Secretary (Estt),
Ministry of Railways, Rail
Bhawan, New-Delhi.

2. General Manager,
Central Railway,
Mumbai (C.S.T.).

3. Divisional Rail Manager,
Central Railway,
Jabalpur.

... Respondents

Counsel :

Shri M.B. Saxena for the applicant.

Coram :

Hon'ble Shri Justice N.N. Singh - Vice Chairman.
Hon'ble Shri Sarveshwar Jha - Member (Admnv.).

O R D E R (ORAL)

(Passed on this the 13th day of January 2003)

Heard. The applicant has approached this Tribunal
against denial of pensionary benefits to him on the ground
that he has not completed 10 years of service, as required
vide Railway Board's order on the subject in respect of
Casual Labourers.

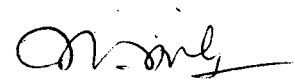
2. The facts of the case briefly are that the applicant
was appointed as a Casual Labour on 03/10/1970 under P.W.I.
Khanna Banjari (Central Railway). He completed 120 days of
continuous service as a Casual Labour on 30/01/1971. He has
further submitted that he continued to work as a Khalasi
up to 04/10/1994 and the services were regularised against
a permanent post on 05/10/1994. He has, therefore, contended

that on the basis of his having rendered 22 years, 4 months and 5 days of service upto 04/10/1994 when his services were regularised and after having rendered further service against the regular post upto 31/03/1998, when he retired on superannuation on 31/03/1998, he should have been allowed the benefits of pensionary benefits on completion of 10 years of service as per rules of the Railway Board on the subject, a copy of which is placed at Annexure A/3.

3. The respondents have rejected the case of the applicant vide their order dated 11/08/1998 on the ground that the applicant does not come under the rules permitting such benefit, as explained in their said order.

4. The applicant has submitted a detailed representation, a copy of which is placed at Annexure A/2, on 01/02/1999. He has submitted reminder to this representation on 8/11/01. This appears to have been followed up with a lawyer's notice dated 27/09/2002. But none of these representations/legal notice has been replied by the respondents. Under these circumstances, we are of the view that it would be appropriate to dispose of this Original Application at this stage itself while hearing on the point of admission with direction to the respondents to consider the representations of the applicant and dispose them of by issuing a reasoned and speaking order as per law and as per rules on the subject within a period of 3 months from the date of receipt of a copy of this order. With this, this OA stands disposed of as per above directions.


(SARVESHWAR JHA)
MEMBER (A)


(N.N. SINGH)
VICE CHAIRMAN

