

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 404 of 2002

Jabalpur, this the 29th day of July 2004

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

Bisram Swamideen
Son of late Swamideen Pandey,
Aged about 62 years,
R/o Villate-(Station) near
Banke Bihari Mandir, District
Satna

APPLICANT

(By Advocate - Shri James Anthony)

VERSUS

1. Union of India,
Through-the Secretary,
Ministry of Railway, New Delhi.
2. Divisional General Manager,
Central Railway, Jabalpur Division
District-Jabalpur(M.P.)
3. Station Superintendent
Railway Station Satna,
Jabalpur Division, Central Railway
Satna(Madhya Pradesh)

RESPONDENTS

(By Advocate - Shri M.N. Banerjee)

ORDER

By Madan Mohan, Judicial Member -

By filing this OA, the applicant has sought the following main reliefs :-

"(ii) It is also prayed that the applicant's service since 8.4.1966 till 31.7.1988 may kindly be considered as minimum qualifying service for the purpose of pension and pensionary benefits and all other retiral dues and consequential benefits.

(iii) It is also prayed by this Hon'ble Tribunal that decision of the authority concerned that the applicant has been removed from service w.e.f. 31.10.1989 may kindly be declared as illegal, arbitrary and therefore, kindly be set aside in the interest of justice and also by considering the well being of the applicant!"



5. After hearing the counsel for both parties, we find that the applicant was removed from the Railway Service with effect from 31.10.89 and he has never approached the respondents with his grievances. He has slept over his grievances for 13 years. According to rules, an employee who is removed from service is not entitled to get any pension.

6. After considering all the facts of the case, we are of the opinion that the OA has no merit and deserves to be dismissed. Hence the OA is dismissed.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

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पृष्ठंकम सं ओ/न्या.....जबलपुर, दि.....
प्रतिलिपि अर्पित:-

(1) सचिव, उच्च न्यायालय बार एसोसिएशन, जबलपुर

(2) आवेदक श्री/श्रीमती/कु.....के काउंसल

(3) प्रत्यर्दी श्री/श्रीमती/कु.....के काउंसल

(4) अध्यक्ष, के.प्र.अ., जबलपुर न्यायपीठ

सूचना एवं आवश्यक कार्यवाही हेतु

उप निरीक्षक

James Anthony
MN Sanjeen

8.04

Issued
On 6.8.04
BS