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CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH

O.A. No.060/00645/2014 Decided on: 08.08.2014

Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)

1. Rikhi Ram, SUPR S/o Sh. Sher Singh, MCM r/o Gali No. 2, Azad Nagar, Yamuna Nagar, PPO No. 0101120077 Date of Retirement 31.05.2001
2. Salig Ram Sharma, SUPR (FIR) S/o Sh. Krishan Dayal MCM r/o H. No. 63 Jawahar Nagar Railway Workshop Jagadhri Distt. Yamuna Nagar PPO No. 0102120146 Date of Retirement 31.12.2002.
3. Anup Singh, Super Wireman S/o Sh. Dogar Singh H. No. 2151 Railway Station Barara P.O. Barara Distt. Ambala Haryana Date of Retirement 30.06.2001 PPO No. 0101120081.
4. Swaran Parkesh, SUPR S/o Antu Ram Village and P.O. Karera Khurd Distt. Yamuna Nagar Date of Retirement 31.07.2001 PPO No. 0101120106.
5. Mehar Lal, JE-II, s/o Sh. Jhandu Ram VPO Damala Distt. Yamuna Nagar Date of Retirement 31.12.2004 PPO NO. 0104120130
6. Satya Pal Kochhar, Mistry s/o Balak Ram H. No. 247 Balvant Rai Colony Yamuna Nagar Date of Retirement 31.10.1994, PPO NO. 12945024.
7. Des Raj Sharma, SUPR S/o Ram Krishan Sharma Gali No. 5 Azad Nagar Yamuna Nagar Date of Retirement 28.02.2003 PPO 0103120016.
8. Gurdial Singh, Mistry s/o Sh. Balam Singh H. NO. 51, Prithvi Nagar-B Farakpur Jagadhri workshop Distt. Yamuna Nagar PPO No. 0196120060 Date of retirement 30.06.1996

9. Karnail Singh, JE-II s/o Bhagat Singh H. NO. 968/19 Vishnu Nagar Jagadhri Workshop Distt Yamuna Nagar Date of Retirement 30.09.2004 PPO NO. 0104120094

10. Hari Singh, Mistry s/o Bhagat Ram R/o Buntilli Village Gher, Tehsil Dehra Distt. Kangra H.P. PPO No. 0198120012 Date of Retirement 01.02.1998.

.....**Applicants**

Versus

1. Union of India through its Secretary to Government, Ministry of Railway, Rail Bhawan, New Delhi.
2. The General Manager, Northern Railway, Baroda House, New Delhi.
3. The Chief Works Manager, Jagadhri Distt. Yamuna Nagar, Haryana.

.....**Respondents**

Present: Mr. Rakesh Bakshi, counsel for the applicant

Order (Oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. Heard.
2. The present O.A. has been filed by the applicants seeking issuance of a direction to the respondents to release them the pension by fixing their basic pension in the pay scale of Rs.5000-8000 w.e.f. 01.01.1996 and further in the revised pay scale of Rs.13500-34800(Grade pay 4200/-) w.e.f. 01.01.2006.
3. In support of his claim, learned counsel submits that the applicants are seeking the benefits in terms of judgment dated

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24.08.2011 passed by the Hon'ble High Court in CWP NO. 9581/2011 titled **Agia Ram and Others Vs. Union of India & Others**. He submits that before approaching this Tribunal, the applicants had served a representation dated 20.01.2014 for the redressal of their grievance, which has not been decided till date. He states at the Bar that the applicants will be satisfied if a time-bound direction is given to the respondents to consider and take a view in the matter.

4. For the order we propose to pass, in view of the limited prayer of the applicants, there is no need to issue notice to the respondents and call for their reply. Moreover, the disposal at admission stage will not cause any prejudice to the respondents as they have not yet taken a view on the representation filed by the applicants for redressal of their grievance; as per Section 20 of the Administrative Tribunals Act.
5. Accordingly, the O.A. is disposed of, with a direction to the respondents to consider and take a view on the representation dated 20.01.2014 in accordance with law, within three months from the date of receipt of a certified copy of this order. While considering the claim of the applicants, the respondents shall take into account the ratio laid down in the case of Agia Ram & Others (supra). If the applicants are found to be entitled to the relevant

benefits, the same may be granted to them, otherwise a speaking and reasoned order be passed.

6. Needless to mention that the disposal of the case may not, in any way, be construed as a finding on the merits of the case. No costs.

Uday Kumar Varma
(UDAY KUMAR VARMA)
MEMBER (A)

Sanjeev Kaushik
(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 08.08.2014

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