

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

This the **21st** day of **MAY 2018**.

ORIGINAL APPLICATION NO. 1559 OF 2017

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).

HON'BLE MR. R. RAMANUJAM, MEMBER (A).

1. Om Shankar, A/a 64 years, son of Pyare Lal, Residence of Village Sagalpur, Post Bhojipura District Bareilly.

.....Applicant

VER S U S

1. General Manager, Karmik, Gorakhpur, Eastern Railway Department.
2. Chief Factory Manager, Bareilly, U.P., Railway Department.
3. Sub Chief Factory Manager, Karmik, Eastern Railway, Ijhat Nagar, Bareilly, U.P.

.....Respondents

Advocate for the Applicant : Shri B K Ojha

Advocate for the Respondents : Shri G K Tripathi

ORDER

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

None is present for the applicant.

2. The present Original Application has been filed by the applicant seeking the following reliefs:-

"(a) Issue an appropriate order or direction in that nature of mandamus commanding the respondents to paid the entire arrears, funds and pension of the applicant since 24.05.2006 with in stipulated time. [Annexure No. -8].

(b) Issue a writ order or direction in the nature of mandamus directing to the respondents to make the revised pension to applicant as per seventh pay scale continuously. [Annexure No. 9]

(c) Issue any order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.

(d) Award an exemplary cost in favour of the applicant and against the official respondents for harrising the applicant without there being any rhyme or reason."

3. Shri G K Triphati, learned counsel appearing on behalf of the respondents raised a preliminary objection of delay in filing the OA and have prayed for the dismissal of the OA on the ground of laches.

4. We have given our thoughtful consideration to the entire matter and are of the view that since a representation dated 17.02.2017 (Annexure No. 8) is pending with the General Manager, we deem it appropriate at this stage to direct the concerned authority to decide the representation by passing a reasoned and speaking order as per law. If the applicant is found entitled, he shall be granted benefits accordingly. Let this exercise be completed within a period of two months from the date of receipt of certified copy of this order.

5. Accordingly, the OA is disposed of. No order as to costs.

(R. RAMANUJAM)
MEMBER-A

(SANJEEV KAUSHIK)
MEMBER-J

Arun..