

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No. 2897/2017

New Delhi, this the 25th day of August, 2017

Hon'ble Ms. Nita Chowdhury, Member(A)

Hira aged 60 years
S/o Sh. Prabhu
Retired as Trackman while working under
SS(P. Way), Gurgaon
R/o Vill. Dabaii, PO Bikaner
Distt. Rewari(Har).

....Applicant

(By Advocate: Ms. Sonika Gill for Shri Yogesh Sharma)

Versus

1. Union of India through the General Manager
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager
Northern Railway, Delhi Division
State Entry Road, New Delhi.
3. The Assistant Divisional Engineer(ADEN)
Northern Railway, Delhi Sarai Rohilla
Delhi.

...Respondents

ORDER (ORAL)

Learned proxy counsel for applicant appears and
presses for admission.

2. The applicant has filed the instant OA seeking the
following reliefs :-

- “(i) That the Hon’ble Tribunal may graciously be pleased to pass an order directing the respondents to count entire service i.e. w.e.f. 22.5.1974 till 12.11.2014 as a qualifying service for granting retirement benefits and consequently grant the same to the applicant with all the consequential benefits with difference of amount with interest.
- (ii) That the Hon’ble Tribunal may graciously be pleased to pass an order of counting 50% casual service and entire service from the date of appointment i.e. w.e.f. 22.5.1974 as a qualifying service for granting the benefits of MACP scheme and consequently, pass an order directing the department to grant 3rd financial upgradation to the applicant under MACP scheme in Grade Pay of Rs.2400/- from due date with all the consequential benefits including the re-fixation of pay, re-fixation of retirement benefits, arrears of difference of pay and allowance with interest.
- (iii) Any other relief which the Hon’ble Tribunal deem fit and proper may also be granted to the applicants along with the costs of litigation.”

3. The brief facts of this matter are that the applicant who was an employee in the Railways contends that on retirement, he has not been given the benefit of his entire service period. His qualifying service for grant of retirement

benefits has not been correctly calculated. He has also informed that he has given legal notice to the respondents on 16.06.2017. The respondents are yet to respond to the same.

4. In the above circumstances, without going into the merits of the case, the OA is disposed of at the admission stage itself, with a direction to the respondents to reply to the legal notice dated 16.06.2017, within a period of 30 days from the date of receipt of a certified copy of this order. If the respondents find the claim of the applicant correct, then they shall pay the revised amount, if any, with interest for the delayed period at the present rate of GPF interest, within a further period of 90 days. Accordingly, the OA stands disposed of. No order as to costs.

(Nita Chowdhury)
Member (A)

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