

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 4016/2015

New Delhi, this the 2nd day of November, 2015

**HON'BLE MR. JUSTICE SYED RAFAT ALAM, CHAIRMAN
HON'BLE MR. P.K. BASU, MEMBER (A)**

Joginder, Aged 58 years,
S/o Shri Samay Singh,
Retired from the post of Trackman,
From the office of SSE (P.Way), Gurgaon,
R/o Vill. Dadawas, Tehsil Patodi,
Distt. Gurgaon, Haryana.

.. Applicant

(By Advocate : 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 Sr. Divisional Personal Officer,
Northern Railway,
Delhi Division,
State Entry Road,
New Delhi.

.. Respondents

(By Advocate : Shri R.V. Sinha for Shri R.N. Singh)

ORDER (ORAL)**By Hon'ble Mr. Justice Syed Rafat Alam**

In the instant Application, the short grievance of the applicant is that period of service from the year 1977 to 23.11.1980, when he served as casual employee, and the period spent on temporary status w.e.f. 24.11.1980 to 16.08.1989 may be counted/calculated for grant of retirement benefits. He submits that 50% of the period spent as casual employee and 100% as temporary status employee has to be calculated for grant of retiral benefits.

2. On the other hand, Shri R.V. Sinha proxy for Shri R.N. Singh, who has appeared and accepted notice on behalf of the respondents, submitted that in respect of grievance of the applicant, he has preferred various representations and also given legal notice dated 14.09.2015 and, therefore, this Application does not lie, at this stage. However, during the course of the arguments, learned counsel for the respondents fairly states that the representations of the applicant or the grievance made through legal notice would be examined and disposed of by a speaking order, expeditiously.

3. In view of above, we think that no purpose would be served by keeping the Application pending and it would be

appropriate to dispose of the Application at the admission stage, with a direction to the applicant to file a fresh representation along with a copy of this O.A. and Annexures to the respondents within two weeks from today. In the event it is complied with, the respondents shall examine the grievance of the applicant and dispose of the same by a speaking order expeditiously, preferably within a period of two months. It is needless to emphasize that we have not expressed any opinion in respect of the claim of the applicant as at the first instance, it is to be addressed by the respondents.

4. With the above order, Original Application stands disposed of. No costs.

(P.K. Basu)
Member (A)

(Syed Rafat Alam)
Chairman

/Jyoti/