

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/0066/2015

Tuesday, this the 17th day of July, 2018

CORAM:

**Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member
Hon'ble Mr. Ashish Kalia, Judicial Member**

Jayasenana S.,
Aged 49 years, S/o. A.V. Singh,
Assistant Divisional Engineer/CTR,
Southern Railway Divisional Office,
Thiruvananthapuram – 14,
Permanent Address: Kailasam, MGRA, 29-G,
Marappalam Gardens, Pattom,
Trivandrum – 4.

..... **Applicant**

(By Advocate – Mr. T.C. Govindaswamy)

V e r s u s

1 Union of India,
Represented by the General Manager,
Southern Railway, Headquarters Office,
Park Town P.O., Chennai – 3.

2 The Chief Personnel Officer,
Southern Railway, Headquarters Office,
Park Town P.O., Chennai – 3.

..... **Respondents**

(By Advocate – Mr. Thomas Mathew Nellimoottil)

This Original Application having been heard on 17.07.2018, the
Tribunal on the same day delivered the following:

ORDER (Oral)

Per: E.K. Bharat Bhushan, Administrative Member

1. Shri. T.C. Govindaswamy on behalf of the applicant and Mr.
Thomas Mathew Nellimoottil on behalf of the respondents are present.

2. Shri. T.C. Govindaswamy, learned counsel for the applicant points out that the benefits sought for have been granted w.e.f. 11.01.2011 while his claim for granting the same is w.e.f. 11.01.2010. The reason why the respondents have chosen to reduce one year service is due to the fact that the applicant was on pre-appointment training during the period. The respondents maintain that this training was imparted on post appointment basis.

3. At this point, we feel the OA can be disposed of by permitting the applicant to file a representation within 30 days from today enclosing all facts available to him. Respondent No. 1 shall consider the same and dispose of the representation within 60 days on receipt of the representation. OA stands disposed of. No costs.

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

Yd

List of Annexures of the Applicant

Annexure A-1 - True copy of Railway Board Order bearing No. RBE No. 101/2009 dated 10.06.2009.

Annexure A-2 - True copy of Personnel Branch Circular No. 54/2013 dated 20.05.2013 issued from the office of the first respondent.

Annexure A-3 - True copy of orders bearing No. HPB (O) 368/2010 dated 16.06.2010 issued by the first respondent.

Annexure A-4 - True copy of the Office order bearing No. TM/28/2014 dated 25.04.2014 issued by the first respondent.

Annexure A-5 Series- True copies of the representations submitted by the applicant addressed to the second and the forwarding relating thereunto.

List of Annexures of the Respondents

Annexure R1 - True copy of Office Order No. 101P/2012/WP dated 30.05.2012.

Annexure R2 - True copy of letter No. P(R)535/P/MACPS/Vol.III dated 13.01.2015.

Annexure R3 - True copy of letter No. PC-V/2009/ACP/9/SR dated 20.01.2015.

Annexure R4 - True copy of Office Order No. HPB(O)297/2015 dated 08.05.2015.
