

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Friday 23rd day of February Two Thousand And Eighteen

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

O.A./310/00268/2018

M. Kumaran
Retd. Senior Technician,
ADME/W/TNPM/S. Rly
No.63/44, V V Nagar,
6th Street, Silanthy Kuttai,
Dr. Ambedkar Nagar,
Kolathur, Chennai- 600 099.

.....Applicant

(By Advocate : M/s. Ratio Legis)

VS.

1. Union of India rep. by
The General Manager,
Southern Railway,
Park Town, Chennai-3;
2. The Assistant Personnel
Officer/Settlements
Chennai Division,
Southern Railway,
Chennai.

... ..Respondents

(By Advocate: Mr. P. Srinivasan)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

Heard. This O.A has been filed by the applicant seeking the following reliefs:-

"to call for the records related to the representation dated 09.10.2017 and further to direct the respondents to arrange to pay the Dearness Allowance at 73% for the month July 2012 and further to reckon with 73% DA as emoluments for the payment of Gratuity, Leave Salary, Etc. terminal benefits and to pay all the consequential arrears with admissible interest."

2. Learned counsel for the applicant submits that applicant was appointed as a Temporary Gang Man in Chennai Division in Southern Railway on 15.12.1975 and retired from service on attaining the age of superannuation on 31.07.2012. The applicant was not paid DA raised from 65% to 73% on the salary for the month of July 2012 and 73% DA was not reckoned as emoluments for the purposes of determining Retirement Gratuity, Leave Encashment etc as terminal benefits. Although frequent representations were made there was no response. He was advised by the respondents to represent along with requisite documents and, therefore, he submitted a representation dated 09.10.2017 with necessary documents but in vain. Hence, he filed the instant O.A. seeking the aforesaid relief.

3. Learned counsel for the applicant further submits that applicant would be satisfied if the respondents are directed to dispose of his Annexure-A4

representation dated 09.10.2017 within a time limit to be set by the Tribunal.

4. Mr. P. Srinivasan, Learned Standing Counsel who takes notice for the respondents, has no objection to the above prayer.

5. Keeping in view the limited relief sought and without going into the substantive merits of the claim, the authority concerned is directed to consider Annexure -A4 representation of the applicant dated 09.10.2017 in accordance with the relevant rules and pass a speaking order within a period of two months from the date of receipt of copy of this order.

6. The O.A. is disposed of accordingly. No costs.

(R. RAMANUJAM)
MEMBER(A)

23.2.2018

asvs.