

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Friday 2nd day of March Two Thousand And Eighteen

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

O.A./310/00299/2018

Mothy Ramesh,
Retd. Technician Gr.II,
ADME/W/TNPM/MAS/S.Rly.,
No.249A, School Street
Amberesh Nagar, Egu Nagar Post,
Arakkonam Taluk,
Vellore District- 631 004.

.....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 Asst. Personnel Officer/Settlement,
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 30.10.2017 and further to direct the respondents to arrange to pay the Dearness Allowance at 80% for the months Jan'2013 & Feb'2013 and further to reckon with 80% 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 engaged as a Casual Labourer/Substitute in Chennai Division in Southern Railway and was extended temporary status on 29.03.1978. He was subsequently regularised on 30.06.1984 against a substantive vacancy and retired from service on attaining the age of superannuation on 28.2.2013. The applicant was not paid DA raised from 72% to 80% on the salary for the period from January 2013 to February 2013. 80% DA was also 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 30.10.2017 with necessary documents but in vain. Hence, he has 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 her Annexure-A3 representation dated 30.10.2017 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 and without going into the substantive merits of the claim, the authority concerned is directed to consider Annexure -A3 representation of the applicant dated 30.10.2017 in accordance with the relevant rules and pass a speaking order within a period of three months from the date of receipt of copy of this order.

6. The O.A. is disposed of in the above terms. No costs.

(R. RAMANUJAM)
MEMBER(A)

2.3.2018

asvs.