

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00649/2018

Dated Friday the 8th day of June Two Thousand Eighteen

PRESENT

HON'BLE SMT. B. BHAMATHI, Member (A)

R.Kalaiarasi,
Retd. Chief Office Supdt,
No. 1/370, Vairam Nagar,
Rural Extension Street,
Myladuthurai.Applicant

By Advocate M/s. Ratio Legis

Vs

The Union of India rep by,
The General Manager,
Southern Railway,
Park Town, Chennai 600003.Respondent

By Advocate Mr. P. Srinivasan

ORAL ORDER

(Pronounced by Hon'ble Smt. B. Bhamathi, Member(A))

Heard learned counsel for the applicant. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To call for all the records related to the payment of Gratuity Act, 1972 and the representation dated 03.08.2017 submitted by the applicant and to direct the respondents to arrange to pay retirement gratuity determined in terms of Gratuity Act in place of that paid under Railway Pension Rules with other attendant benefits with admissible interest and to pass such other order / orders as this Hon'ble Tribunal may deem fit and proper and thus to render justice.”

2. It is submitted that the applicant retired as Chief Office Superintendent on 31.05.2016 and her retirement benefits such as pension and gratuity were calculated in terms of Railway Services Pension Rules, 1993. However, when the same was calculated as per Gratuity Act, 1972, the amount worked out to be more than the amount calculated as per Railway Services Pension Rules, 1993. She made a representation on 03.08.2017 for calculation of her retirement benefits in terms of Gratuity Act, 1972 which is still pending for consideration. Learned counsel for the applicant submits that the applicant would be satisfied if she is permitted to submit a fresh representation quoting the settled law as relied by her and the same would be directed to be considered along with her previous representation within a time limit to be stipulated by this Tribunal.

3. Mr. P. Srinivasan takes notice for the respondents.

4. To meet the ends of justice and without going into the merits of the case, I deem it appropriate to permit the applicant to submit a fresh representation quoting the settled law as relied by her within a period of two weeks from the date of receipt of a certified copy of this order. On receipt of such representation, the 1st respondent shall consider the same along with her previous representation dated 03.08.2017 at Annexure A2 in accordance with law and pass a reasoned and speaking order thereon within a period of eight weeks thereafter.

5. OA is disposed of with the above direction at the admission stage.

(B. Bhamathi)
Member(A)
08.06.2018

SKSI