

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**OA/310/00701/2018**

**Dated Wednesday the 13<sup>th</sup> day of June Two Thousand Eighteen**

**PRESENT**

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

T.Palanisamy,  
Retd. Senior Technician,  
No. 20/3, Ambal Nagar,  
Kottapattu, Trichy 4. ....Applicant

By Advocate M/s. Ratio Legis

Vs

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

## **ORAL ORDER**

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

Heard the learned counsel for 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 on 30.04.2010 as a Senior Technician. He is aggrieved that his retirement benefits were calculated in terms of Railway Services Pension Rules, 1993 instead of Gratuity Act, 1972. He made a representation on 03.08.2017 for calculation of his retirement benefits in terms of Gratuity Act, 1972 and payment of the difference amount. The said representation is still pending for consideration. Learned counsel for the applicant submits that the applicant would be satisfied if the 1<sup>st</sup> respondent is directed to consider the representation within a time limit to be stipulated by this Tribunal.

3. Therefore, to meet the ends of justice and without going into the merits of the case, I deem it appropriate to direct the 1<sup>st</sup> respondent to

consider the representation of the applicant dated 03.08.2017 in accordance with law and pass a reasoned and speaking order thereon within a period of 16 weeks from the date of receipt of a certified copy of this order. Issues of law, including delay, if any are kept open.

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

**(B. Bhamathi)**  
**Member(A)**  
**13.06.2018**

SKSI