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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 350 / 00143 of 2017

Banshi Sahoo,  
 son of Late Siniwas Sahoo, aged about  
 62 years, Ex. Chowkidar /SSE/PW/GUD,  
 S.E. Railway, Kharagpur, residing at  
 Bira, P.O. Chandri, P.S. Jhargram,  
 Dist. Paschim Medinipur, Pin 721507.

... Applicant

Versus

1. Union of India, through the General  
 Manager, South Eastern Railway,  
 Garden Reach, Kolkata 700 043.

2. Chief Personnel Officer,  
 South Eastern Railway, Garden Reach,  
 Kolkata 700 043.

3. Divisional Railway Manager,  
 (Personnel), Kharagpur, South Eastern  
 Railway, P.O. Kharagpur, Dist. Paschim  
 Medinipur, Pin 721301.

4. Senior Divisional Personnel Officer  
 (Settlement), Kharagpur, P.O.  
 Kharagpur, Dist. Paschim Medinipur,  
 Pin 721301.

... Respondents

contd.. 2

6-10-2017

AS

No. O.A. 350/00143/2017

Date of order: 28.6.2017

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member

For the Applicant : Mr. A. Chakraborty, Counsel  
Mr. T.K. Biswas, Counsel

For the Respondents : None

**ORDER (Oral)****A.K. Patnaik, Judicial Member:**

Heard Mr. A. Chakraborty along with Mr. T.K. Biswas, Ld. Counsel for the applicant.

2. This OA has been filed by Banshi Sahoo, Ex-Chowkidar/SSE/PW/GUD challenging in-action on the part of the respondent authorities in not considering his representation for grant of pension taking into account the fact that he was initially engaged as Commission Bearer under the Sr. Commercial Manager (Catg.) on 2.7.1977 and was absorbed in the permanent post of Chowkidar on the basis of an order dated 5.4.2004 and thereafter he retired from service on 30.4.2014 after rendering more than 10 years of service as a permanent staff and also inaction on the part of the respondent authorities in not considering his past service render as Commercial Bearer under the Commercial Manager, Kharagpur before he was absorbed as a permanent staff under the respondent authorities. This O.A. has been filed praying for the following reliefs:

"a) An order directing the respondent authority to grant pension to the applicant considering that the applicant completed more than 10 years of service in the permanent post and rendered service under the Catering Department from 2.7.1977 before being permanently absorbed within a stipulated period of time;

b) An order directing the respondents to release all the benefits including pension with 18% interest from the date of entitlement of the same to the date of payment within stipulated period of time;

c) And pass such other order or orders as Your Lordships may



deem fit and proper."

3. The facts in a nut shell as per Chakraborty, Ld. Counsel for the applicant are that the applicant submitted a representation before the respondent authorities for considering his case for grant of pension as he has already completed the minimum years of service required for granting pension but the respondent authorities did not consider his claim. He also prays for a direction upon the respondent authorities to consider his claim for grant of pension as he has completed more than 10 years of regular service and also inaction on the part of the respondent authorities in not considering his past service render as Commercial Bearer under the Commercial Manager, Kharagpur before he was absorbed as a permanent staff under the respondent authorities.

4. Mr. Chakraborty, Ld. Counsel for the applicant submitted that the grievance of the applicant would be more or less addressed if a specific order is passed by directing the concerned authority i.e. respondent No. 4 to dispose of the representation dated 10.7.2014 within a specific time frame.

5. The applicant being more than 60 years old, I do not think it appropriate to issue notice moreso when the representation is still pending. Hence, I dispose of this O.A. without waiting for reply by directing the respondent No. 4, that if any such representation have been preferred on 10.7.2014 and the same is still pending consideration, then it may be considered and disposed of by way of a well-reasoned order within a period of two months from the date of receipt of a copy of this order under communication to the applicant and if after such consideration, the applicants' grievance is found to be genuine, then expeditious steps may be taken within a further period of three months from the date of such



consideration to grant pension to the applicant. However, if in the meantime, the representation stated to have been made on 10.7.2014 have already been disposed of then the result be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order.

6. I make it clear that I have not gone into the merits of the matter and all points are kept open for the respondents to consider the same as per the rules and regulations in force.

7. A copy of this order along with paper book be transmitted to the respondent No. 4 by speed post for which Mr. Chakraborty undertakes to deposit necessary cost in the Registry by the next week.

8. With the aforesaid observation and direction, the O.A. is disposed of.

(A.K. Patnaik)  
Judicial Member

SP