

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

OA/350/368/2018

Date of Order: 15.05.2018

Coram : Hon'ble Mrs. Manjula Das, Judicial Member

Shri Gopal Manna son of late Kanai Lal Manna, aged about 65 years, ex O.S under IOW/I Eastern Railway Maldah (since retired on superannuation) residing at Vill. Srirampur (Uttar) P.O Patuli Station Bazar. Dist. Burdwan, Pin – 713512, West Bengal.

---Applicant

-Versus-

1. Union of India, service through the General Manager, Eastern Railway, Fairlie Place, Kolkata – 700001.
2. The FA & CAO (Pension), Eastern Railway, Fairlie Place, Kolkata 700001.
3. The Chief Personnel Officer, Eastern Railway, Fairlie Place, Kolkata 700001.
4. The Divisional Railway Manager, Eastern Railway, Malda Division, Maldah – 732101.
5. The Divisional Personnel Officer, Eastern Railway, Malda Division, Maldah – 732101.
6. The Sr. Divisional Engineer / Co. Ord. Eastern Railway, Malda Division, Maldah – 732101.
7. The Branch Manager, State Bank of India CPPC, Kolkata, 39/1A, Vivekananda Road, Kolkata 700006, West Bengal.

---Respondents.

For the Applicant

: Mr. J. R. Das, Counsel

Ms. T. Maity, Counsel

Mr. M.K Bandyopadhyay, Counsel

For the Respondents

Per : Mrs. Manjula Das, Judicial Member:

The applicant has approached this Tribunal seeking the following relief:

- (i) An order directing the respondents to not to effect and/or further effect the letter dated 22.11.2011 being undue and further directing the respondents to implement the Memorandum dated 25.7.2012 in its true letter and spirit and review the basic pay of the applicant following being reinstated to service on and from 28.2.1994 to the date of superannuation on 30.4.2012 in the light of aforesaid Memorandum dated 25.7.2012 and also review the pension and pensionary benefits accordingly.
- (ii) An order directing the respondents to review the basic pay of the applicant from 28.2.1994 till retirement and pay the difference of pay and allowances as arrears and fix the pension and pensionary benefits following said review and pay the due arrears of pay, allowances pension and pensionary benefits accordingly.
- (iii) An order directing the respondents to calculate and pay the details of Annual Bonus (PLB) year after year as per rules.

- (iv) Any other dues due to the applicant following reinstatement from 28.2.1994 till superannuation and pension and pensionary benefits thereafter with interest thereon and consider the representation dt. 5.12.2017
- (v) To pass an appropriate order directing the respondents to submit all relevant records of the case before the Hon'ble Tribunal copy to the Ld. Advocate appearing for the applicant for conscientable justice.
- (vi) Any other order or orders and further order/orders as to this Hon'ble Tribunal may seem fit and proper. “

2. Heard Ld. counsel for both sides.

3. Ld. Counsel for the applicant submits that at this stage the applicant will be satisfied if a direction is given to the respondent authorities to consider and dispose of the representation preferred on 21.1.13 and 5.12.2017 (Annexure A/7) as well as Memo dated 25.7.12 (Annexure A-5 Coll.) within a specific time frame. Ld. Counsel for the respondents has no objection if such prayer is allowed.

4. By accepting the prayer made by Ld. counsel for the applicant, I hereby dispose of the OA at the admission stage itself without going into merits, by directing the appropriate respondent authorities to consider and dispose of the representation preferred on 21.1.13 and 5.12.2017 (Annexure A/7), as well as Memo dated 25.7.12 (Annexure A-5 Coll.) by passing a reasoned and speaking order within three months from the date of receipt of the copy of this order. The decision so arrived shall be communicated to the applicant forthwith.

5. The OA stands disposed of. No order as to costs.

(Manjula Das)
Member (J)

SS