

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.09/2019

This the 21st day of January, 2019

Coram :

Hon'ble Ms. Archana Nigam, Member (A)

Hon'ble Shri M.C.Verma, Member (J)

Shri Ashokbhai N. Raval

S/o. Shri Nandkishor Raval

Aged 60 years.

Working as Sr. Khalasi, SSE (Works) RJT

R/o. Postal Address : Block No.154, Nilgiri Society

Part-2, Nr. Rajaram School, Post-Vatva,

Ahmedabad 382 440.. Applicant

(By Advocate : Ms. S.S.Chaturvedi)

VERSUS

1. Union of India
Notice to be served through
General Manager
Western Railway, Churchgate
Mumbai 400 020.
2. Divisional Railway Manager (E)
Western Railway,
Kothi Compound, Rajkot Division
Rajkot 360 001. Respondents.

CAT, Ahmedabad Bench

ORDER – ORAL

Per : Hon'ble Shri M.C.Verma, Member (J)

Heard. Matter is at the stage of issuance of notice. The facts, as has been set out in the OA are that the applicant was working as casual labour with the Railway department since 05.9.1979, he, on 01.01.1985, was granted temporary status and services of the applicant was regularised on 09.09.1997. That on 21.5.2018, applicant made representation to the respondents to count his service, while was having temporary status as regularised service. Respondents regularised his service and release first MACP on 01.09.2008 and second MACP on 06.5.2010. The grievances of the applicant is that due to wrong calculation of qualifying service, the respondents have granted MACP with later date, though he was entitled to it from earlier date.

CAT, Ahmedabad Bench

2. Learned counsel, Ms. S.S.Chaturvedi submitted that applicant is going to retire within a month or two and in this scenario, the applicant would be satisfied if department is directed to review the qualifying service rendered by the applicant so that applicant being casual labour, can get monetary benefit. Accordingly, in interest of justice, the respondents are directed to have review of the qualifying service rendered by the applicant within two months from the date of receipt of a copy of this order, by passing a detailed speaking order. The payment of arrears, if applicant is found entitled to by grant of MACP from earlier date, shall be made within one month thereafter.

3. With above direction, the OA stands disposed off. No order as to costs.

(M.C.Verma)
Member (J)

(Archana Nigam)
Member (A)

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CAT, Ahmedabad Bench