

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



No. O.A. 350/00230/2019

Date of order: 8.4.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Shri Parmeshwar Yadav,
Son of Late Jago Gope,
Aged about 66 years,
Worked as Trackman/JSME/Engineering,
Eastern Railway,
Asansol Division, Asansol,
Since retired on superannuation on 31.12.2013 and
Residing at Village – Tharghatiya,
P.O. – Nayagawn,
Dist. – Jamui (Bihar),
Pin – 811 307.

.. Applicant

- VERSUS -

1. Union of India,
Service through the General Manager,
Eastern Railway,
Fairlie Place,
Kolkata – 700 001.
2. The FA & CAO,
Eastern Railway,
Fairlie Place,
Kolkata – 700 001.
3. The Sr. Divisional Personnel Officer,
Asansol Division,
Eastern Railway,
Asansol,
Pin – 713301.
4. The Divisional Railway Manager,
Asansol Division,
Eastern Railway,
Asansol,
Pin – 713301.
5. Sr. Divisional Finance Manager,
Asansol Division,
Eastern Railway,

Asansol,
Pin – 713301.

.... Respondents

For the Applicant : Mr. J.R. Das, Counsel

For the Respondents : Mr. P. Mukherjee, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

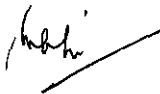
The applicant has approached the Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

- “(i) An order directing the respondents to correct/amend the 'Retirement Benefits Calculation Sheet' as also his PPO already issued to delete the entire non qualifying service' and accordingly amend/correct the length of qualifying service to the full of length of service since never had any reason of such non qualifying service in any manner.
- (ii) An order/direction directing the respondents to recalculate and pay his pension and pensionary benefits following such correction of qualifying service and pension be paid month by month on enhanced rate with arrears be paid accordingly.
- (iii) An order directing the respondents to consider and dispose of the representation by the applicant.
- (iv) An order directing the respondents to submit all the relevant records of the case before the Hon'ble Bench with copy to the Ld. Advocate for the applicant for conscionable justice.
- (v) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper.”

2. Heard both Ld. Counsel, examined documents on record. The matter is taken up at the admission stage.

3. Ld. Counsel for the applicant submits that the applicant is a regular Railway employee, who had superannuated on 1.1.1984 as Trackman. That, after rendering qualifying service of 27 years 01 month and 15 days, settlement dues amounting to Rs. 11,36,915/- only was granted to him. As other Trackmen on superannuation have reportedly received much higher settlement dues, being aggrieved, the applicant has approached the Tribunal.

Ld. Counsel for the applicant further submits that a representation dated 16.11.2018 (Annexure A-5 to the O.A.) is pending at the level of the respondent authorities, requesting for deletion of non-qualifying service, so as to enhance his



pensionary benefits and that the applicant would be fairly satisfied if a direction is issued to the respondent authorities to dispose of the same in a time bound manner.

4. Ld. Counsel for the respondents submits that there is no objection on behalf of the respondent authorities to consider the said representation, in accordance with law.

5. Accordingly, without entering into the merits of the matter and with the consent of the parties, we hereby direct the respondent No. 3, who is the Sr. Divisional Personnel Officer, Asansol Division, Eastern Railway, Asansol to decide on the representation of the applicant dated 16.11.2018, if received at his end, within a period of 8 weeks from the date of receipt of a copy of this order. The decision should be taken in accordance with law and conveyed in the form of a reasoned and speaking order forthwith to the applicant.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP