

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**O.A.No.1538/2018**

**Dated Thursday, the 15<sup>th</sup> day of November, 2018**

**PRESENT**

**Hon'ble Mrs.Jasmine Ahmed, Judicial Member**

**&**

**Hon'ble Mr.R.Ramanujam, Administrative Member**

B.Nagesh,  
Khalasi, Diesel Loco Shed,  
Erode, Tamilnadu.

**...Applicant**

By Advocate M/s S.Kala

1.Union of India,  
rep. By General Manager,  
Southern Railway, Park Town,  
Chennai.

2.The Senior Divisional Personnel Officer,  
Salem Division, Salem.

3.The Senior Section Engineer,  
Diesel Loco Shed, Erode.

**...Respondents**

By Advocate Mr.P.Srinivasan

**(Order: Pronounced by Hon'ble Mrs.Jasmine Ahmed, Member(J))**

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“(a)To declare that 50% service of the applicant from the date of entry into Railway, (22/5/1984 to 9/8/2006) as Commission bearer shall be reckoned for all service benefits including fixation of pay, pensionary benefits and MACP, arrears, thereto.

(b)To direct the respondents to calculate all service benefits including the pension benefits in accordance with prayer (a)

AND

(c)Grant such further or other reliefs as the nature and circumstances of the case may require.”

2. Ms.S.Kala, learned counsel for the applicant present and states that the applicant has preferred a representation dated 25.02.2018 for counting of 50% of his commission bearer service for the purpose of pension and pensionary benefits and till date no decision has been taken by the respondents on the pending representation. Accordingly, learned counsel for the applicant states that the applicant would be happy and satisfied if a direction is given by this Tribunal to decide the representation by passing a detailed, reasoned and speaking order within a stipulated time frame.

3. Mr.P.Srinivasan, Senior standing counsel for Railways takes notice on behalf of the respondents and states that if such a direction is given by this Tribunal, the competent authority will pass orders within the time limit fixed by this Tribunal.

4. Accordingly, the respondents are directed to take a conscious decision on the representation of the applicant dated 25.02.2018 by passing a detailed, reasoned and speaking order, within a period of two months from the date of receipt of a certified copy of this order.

5. The OA is disposed of at the admission stage. It is made clear that nothing has been commented on the merits of the case.

**(R.RAMANUJAM)**  
**MEMBER (A)**

**(JASMINE AHMED)**  
**MEMBER(J)**

**15.11.2018**

M.T.