

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 4471/2018

The 7th day of December, 2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. ARADHANA JOHRI, MEMBER (A)**

Subey Singh,
Aged 60 years, Group 'C',
S/o Shri Ram Dayal,
Retired as MCM/Cable Jointer from
N. Railway Station, Gurugram (Delhi Division),
R/o Ward No.27, Behind New Shiv Mandir,
Ajay Nagar, Rewari (Har.) .. Applicant

(By Advocate : Ms. Sonika Gill for Shri Yogesh Sharma)

Versus

1. Union of India through
The General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
State Entry Road, New Delhi.
3. The Divisional Personnel Officer,
Northern Railway,
State Entry Road, New Delhi. .. Respondents

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

Heard the learned counsel for the applicant.

2. The applicant, who retired as MCM/Cable Jointer from the respondent- Northern Railway, filed the O.A. seeking the following relief(s):

- “(i) That the Hon’ble Tribunal may graciously be pleased to pass an order of quashing the impugned order dated 08.02.2018, 26.02.2018 and 21.03.2018 (Annex.A/1 to A/3) declaring to the effect that the same are illegal, arbitrary and against the principle of natural justice and consequently, pass an order directing the respondents to restore the pay of the applicant at the stage of Rs.43600/- at the time of retirement with all consequential benefits including the arrears of difference of retirement benefits with interest.
- (ii) That the Hon’ble Tribunal may graciously be pleased to pass an order directing the respondents to re-fix the pay of the applicant by considering the option of the applicant under Rule-5 of the RS (Revised) Pay Rules, 2016 with all consequential benefits.
- (iii) Any other relief which the Hon’ble Tribunal deem fit and proper may also be granted to the applicant along with the costs of litigation.”

3. It is submitted that the applicant’s last pay drawn as per the pay slip for the month of December, 2017 and January, 2018, i.e. before the retirement of the applicant, was Rs.43,600/-, whereas the respondents without issuing any notice and without there being any valid reasons, vide Annexure A/9 PPO order, fixed the pension of the applicant by showing the applicant’s last pay drawn as Rs.41,100/-. Aggrieved by the same, the applicant filed the instant O.A.

4. It is noticed that the applicant has not preferred any representation to the respondents before filing the instant O.A.
5. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the merits of the case, by permitting the applicant to make an appropriate representation to the respondents within two weeks from the date of receipt of a certified copy of this order and on receipt of such a representation from the applicant, the respondents shall consider the same and pass appropriate reasoned and speaking orders thereon, in accordance with law, within 90 days therefrom. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

(ARADHANA JOHRI)
Member (A)

(V. AJAY KUMAR)
Member (J)

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