

**Central Administrative Tribunal  
Ernakulam Bench**

**OA No.180/00432/2019**

Monday, this the 24<sup>th</sup> day of June, 2019.

**CORAM**

**Hon'ble Mr.E..K.Bharat Bhushan, Administrative Member**

K.K.Sathyan, aged 56 years

S/o Karappan

Trackman II, Office of Senior Section Engineer (P.Way)

Southern Railway, Aluva.

Residing at Kodath House, Neduvannoor

Chowra P.O., Aluva-683 571.

Applicant

(Advocate: Mr.T.A.Rajan)

**versus**

1. Union of India represented by  
General Manager  
Headquarters, Southern Railway  
Park Town P.O., Chennai-3.

2. Senior Divisional Personnel Officer  
Southern Railway, Trivandrum Division  
Thiruvananthapuram-695 584.

3. The Senior Section Engineer (P.Way)  
Southern Railway, Aluva-683 101.

Respondents

(Advocate Mr.Sunil Jacob Jose)

The OA having been heard on 24<sup>th</sup> June, 2019, this Tribunal delivered the following order on the same day:

## **O R D E R (oral)**

Applicant who is working as Trackman-II under the control of 3<sup>rd</sup> respondent was appointed to the post as per Annexure A1 orders. He stakes a claim for inclusion in the old pension scheme on the ground that he was an empanelled employee prior to 1.1.2004. He submits that he has filed a representation, a copy of which is available at Annexure A3, wherein he has claimed similar treatment as others in the empanelled list upto the rank of 2550.

2. This Tribunal is of the view that the present OA can be disposed of, as agreed to by both sides, with a direction to the second respondent to consider and dispose of the said pending representation. Ordered accordingly. While disposing of the representation, the 2<sup>nd</sup> respondent will duly take into consideration the orders of the Hon'ble High Court, a copy of which is available at Annexure A2. A decision in accordance with law is to be taken within 60 days of receipt of a copy of this order. The OA stands disposed of.

**(E.K.Bharat Bhushan)  
Administrative Member**

aa.

**Annexures filed by the applicant:**

Annexure A1: Copy of the office order No.120/2004 dated 11.10.2004.

Annexure A2: Copy of the common judgment dated 21.12.2016 in WP(C) No.23757/2010 and connected cases of the Hon'ble High Court of Kerala.

Annexure A3: Copy of the representation dated 14.1.2019.