

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH



No. OA 350/01957/2015

Date of order : 13.11.2016

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Mr. Jaya Das Gupta, Administrative Member

B. BERA

VS

UNION OF INDIA & ORS.

For the applicant : Mr.A.Chakraborty, counsel

For the respondents : None

O R D E R

Ms.Bidisha Banerjee, J.M.

This application has been filed seeking the following reliefs :

"An order do issue directing the respondents to refix the pay of the applicant w.e.f. 1.1.81 and also to refix the pension and other pensionary benefits and to grant arrears with interest in view of the order passed by the authority concerned on 5.8.05."

2. It is evident from the record that the applicant was granted benefit of temporary status w.e.f. 1.1.81 in terms of Railway Board's circular dated 11.9.86 circulated vide Estt. Srl. No. 187/86 as a communication dated 5.8.05 (Annexure A/1) would manifest.

3. It is the grievance of the applicant that granting of temporary status w.e.f. 1.1.81 would mean that he would be entitled to a regular scale of pay w.e.f. that date in terms of Railway Rules whereas he has been deprived of the regular scale of pay w.e.f. 1.1.81 which has resulted in loss of pay and emoluments w.e.f. 1.1.81 and pensionary benefits. Ld. Counsel for the applicant submits that he shall be satisfied if his pending representation dated 16.8.14 is directed to be disposed of in a time bound manner.

4. None appears for the respondents despite notice. Affidavit-of-service is taken on record.

5. Since an innocuous prayer has been made seeking consideration of representation, the OA is disposed of without asking for a reply with a direction upon the respondents to consider the representation dated 16.8.14 in

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accordance with law with a reasoned and speaking order to be issued within two months from the date of communication of this order. If nothing stands in the way and the applicant is found entitled to the benefits he has claimed for, appropriate benefits be released to him within one month thereafter.

6. It is made clear that we have not gone into the merits of the case.
7. OA is accordingly disposed of. No order is passed as to costs.

(JAYA DĀS GUPTA)  
MEMBER (A)

(BIDISHA BANĒRJEE)  
MEMBER (J)

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