

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD**

O.A. No. 403/2019

This the 15th day of November, 2019

Shri Kanubhai M.

S/o. Mangalbai

Age : 59 years,

Working as Khalasi Helper under Engineering Department, BRCY

Residing at : Block No.109, Sardar Nagar Society,

Opp. Swaminarayan Temple, Sardarnagar,

Vadodara 390 002. Applicant

(By Advocate : Ms.S.S.Chaturvedi)

VERSUS

1. Union of India
Notice to be served through
The General Manager,
Western Railway, Churchgate
Mumbai 400020.
2. Divisional Railway Manager (E)
Divisional Office, Western Railway
Pratapnagar, Baroda 390 004. Respondents

ORDER (ORAL)

Per : Hon'ble Shri M.C.Verma, Judicial Member

The crux of facts alleged by applicant, as reveals from pleadings of the OA, is that the applicant joined the Railway initially as Substitute and

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was granted Temporary Status w.e.f. 01.06.1982, however, in service record his said date of granting Temporary Status was wrongly recorded as 27.07.1987, instead of 01.06.1982. That he had written several letters and has made representations for correction of date but nothing yielded positively and respondents taking this wrong date granted Pay Fixation etc..

2. Learned counsel, Ms. S.S.Chaturvedi while pressing the OA took the undersigned to Annexure A-2, which is a letter dated 20.4.1987 of the respondents and said letter contains the name of candidates who under this letter have been granted temporary status, mention of Applicant is at Serial No. 08 in the said letter and he has been shown to be granted temporary status w.e.f. 01.6.1982. Counsel for applicant also invited the attention of undersigned to representation dated 27.3.2019 of the applicant and to letter dated 27.3.2019 (Annexure A-1) of Senior Section Engineer addressed to DRM(E). Senior Section Officer, enclosing representation of applicant wrote to addressee DRM(E) that applicant is telling that he has been granted temporary status on 01.06.1982 and the

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date of Temporary Status as per TS Grant letter is also 01.06.1982 but contrary to it in service record, it is mentioned as 27.07.1987 and DRM was requested to take necessary action. Learned counsel then urged that benefits of third MACP to other similarly situated employee has been extended but because of wrong entry in service record of date of Temporary Status applicant has not been given said benefits. Learned counsel Ms.S.S.Chaturvedi then concluded her submission submitting that it would be appropriate if this OA is disposed of at the motion hearing stage itself by directing to the respondent No.2 to consider and dispose of the representation dated 27.3.2019 of the applicant within time framed fixed by the Tribunal.

3. Considered the submissions and perused the records. Matter is at motion hearing stage. Having taken note of entirety, this OA is disposed of at the motion hearing stage itself by directing respondent No.2 to consider and dispose of the representation dated 27.3.2019 of the applicant, which is part and parcel of Annexure A-1 and was sent to him

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by Senior Section Engineer with his letter dated 27.3.2019 within two months from the date of receipt of this order. Needless to say, decision so taken shall be communicated to the applicant.

4. With this direction, the OA stands disposed of.

(M.C.Verma)
Member (J)

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