

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00613/2020

Wednesday this the 16th day of December, 2020

C O R A M :

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER

Sri.S.Gopalakrishnan

S/o.K.Sivaraman, aged 60 years

(M) No.9388181942

Mechanic Ice Plant (Retired)

National Institute of Fisheries

Post Harvest Technology & Training

Foreshore Road, Post Box No.1801, Kochi – 682 016

Harivarasanam, House No.XIV/261-C

Muthiraparambu Colony Road

Nadakkavu P.O, Udayamperur

Ernakulam District – 682 307

...Applicant

(By Advocate Mr.P.K.Madhusoodhanan)

v e r s u s

1. The Secretary, Government of India
Department of Fisheries
Ministry of Agriculture & Farmers Welfare
Krishi Bhavan, New Delhi – 110 001
2. The Director
National Institute of Fisheries Post Harvest
Technology & Training
Foreshore Road, Post Box No.1801
Kochi – 680 16
3. Union of India

Represented by its Secretary
 Ministry of Fisheries, Animal Husbandry & Dairying
 Department of Fisheries, Chanderlok Building
 Janpath, new Delhi – 110 001

....Respondents

(By Advocate : Mr.H.Rathish,ACGSC)

This application having been heard through video conference on 16th December, 2020, this Tribunal on the same day delivered the following :

ORDER (ORAL)

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

Applicant is aggrieved by non-consideration of his request for re-fixation of his pay taking into consideration the mandates in Annexures A8 and A-9. Hence, he approached this Tribunal praying for the following reliefs:

"a) Issue necessary directions to the respondents to re-fix the pay of the applicant untrammelled by Annexures A1 to A7, on grant of ACP and MACP scheme benefits as per law and disburse all consequential benefits arising therefrom to the applicant forthwith, at any rate within a time limit to be fixed by this Tribunal.

b) Issue necessary directions to the 1st respondent to take up, consider and pass orders on Annexure A10 in accordance with law at the earliest, at any rate, within a time limit to be fixed by this Tribunal.

c) Issue necessary directions to the respondents to re-fix the pay and pensionary benefits of the applicant in consonance with the orders to be passed on Annexure A-10 by the 1st respondent and grant all consequential benefits arising therefrom to the applicant, at the earliest."

2. When the matter came up for consideration, learned counsel for the applicant

submits that Annexure A-10 representation submitted by the applicant is still pending with the respondents and the applicant will be satisfied if the same is properly disposed of within a time frame. Counsel also submits that the applicant wishes to file a fresh comprehensive representation regarding the relief within a period of 2 weeks from today.

3. In view of the limited submission, the Original Application is disposed of by directing the applicant to file a comprehensive representation within a period of two weeks from today and the competent authority is directed to consider the same and pass a speaking order in the light of relevant rules and regulations on the subject within a period of three months from the date of receipt of representation.

4. The Original Application is disposed of as above at the admission stage itself .
No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER

(P.MADHAVAN)
JUDICIAL MEMBER

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List of Annexures

Annexure A1 – True copy of the sanction order dated 17.2.2000 of the Accounts Officer of the Integrated Fisheries Project (IFP), Kochi – 16

Annexure A2 - True copy of the office order no.30/2005 dated 18.4.2005 of the 2nd respondent

Annexure A3 - True copy of the office order no.40/2010 dated 9.9.2010 of the 2nd respondent

Annexure A4 - True copy of the office order no.27/2016, dated 30/5/2016 of the 2nd respondent

Annexure A5 - True copy of the office order no.2/2017, dated 11.1.2017 of the 2nd respondent

Annexure A6 - True copy of the office order no.6/2017, dated 9/2/2017 issued by the 2nd respondent

Annexure A7 - True copy of the letter dated 13/2/2017 by Accounts Officer in the office of the second respondent

Annexure A8 - True copy of the office memorandum dated 19.5.2009, by the Govt. Of India, Ministry of Personnel, Public Grievances and pensions.

Annexure A9 - True copy of the office memorandum dated 9/9/2010 by the Govt. Of India, Ministry of Personnel, Public Grievances and Pensions

Annexure A10 - True copy of the representation dated 14.10.2019, submitted by the applicant before the 1st respondent

Annexure A11 - True copy of the letter dated 3.1.2020, 1st respondent advised the applicant to forward Annexure A10 through proper channel

Annexure A12 - True copy of the letter dated 17/3/2020, through proper channel, submitted by the applicant

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