



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

ORIGINAL APPLICATION NO. 60/588/2021

DATED THIS THE 22nd DAY OF JUNE, 2021

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Chandigarh Bench, Chandigarh)

HON'BLE SHRI TARUN SHRIDHAR, MEMBER (A)

(On video conference from his residence at New Delhi)

Kamlesh Chug (Retired Superintendent), age 71 years, wife of Late Sh. K.K. Chug, resident of House No. 1834-B, Near Jhulelal Mandir, Rajpura, District Patiala. (Group-B)

....Applicant

(By Advocate Sh. D.R. Sharma – through video conference)

Vs.

1. Union of India through its Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi – 110001.
2. The Principal Commissioner of Central Excise Commissionerate Chandigarh-I, C.R Building, Sector-17, Chandigarh.

.....Respondents

ORDER (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

1. The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, making therein the following prayer.

- (i) That a direction be issued to the respondents to revise the pension and other pensionary benefits like difference in Leave Encashment, Gratuity and CVP on account of stepping up of her pay already issued by the order dated 26.09.2014(A-7) by taking her last pay drawn as Rs. 27,560/- by extending her benefit of decision in O.A. No. 428/PB/2013 decided on 03.03.2017(A-8) passed in the case of Hardial Singh and Others Vs Union of India and Others and upheld by the Hon'ble Punjab and Haryana High Court on 06.04.2018 (A-9) along with interest @ 12% p.a.



2. At the very outset, learned counsel for the applicant submitted that before filing the present Original Application, the applicant submitted a representation dated 21.10.2017 (Annexure A-3) on which no decision has been taken by the respondents upto now. Learned counsel further submitted that the applicant will be satisfied if a direction is issued to the respondents to decide her pending representation within a time frame.
3. Keeping in view the aforesaid limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present original application at the admission stage itself without entering into the merits of the case.
4. Accordingly, the original application is disposed of with a direction to the Principal Commissioner of Central Excise Commissionerate Chandigarh-1, Chandigarh (Respondent No.2 herein) to decide the applicant's pending representation dated 21.10.2017 and pass a reasoned and speaking order in accordance with law. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of two months from the date of receipt of a certified copy of this order.
5. Ordered accordingly. However, there shall be no orders as to costs.

(TARUN SHRIDHAR)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)