

Central Administrative Tribunal Ernakulam Bench

O.A No.180/00446/2021

Thursday, this the 9th day of September, 2021

CORAM:

**Hon'ble Mr. P.Madhavan, Judicial Member
Hon'ble Mr.K.V.Eapen, Administrative Member**

Asokan T.V., aged 55 years,
S/o Velayudhan T.E.,
(Ex-Safaiwala/Department of Light Houses & Light Shifts,
Deep Bhavan, Gandhi Nagar, Kadavanthara P.O. Kochi-20)
Residing at: Thottathan House,
Near Samoohya Seva Sangham, Cherai P.O.
PIN: 683 514, Ernakulam District. - Applicant

(By Advocate: Mr.T.C.Govindaswamy & Ms.Kala T.Gopi)

Versus

1. Union of India, represented by
the Secretary to the Government of India,
Ministry of Ports, Shipping and Waterways,
No. 1 Parliament Street,
New Delhi – 110001
2. The Director General,
Department of Light Houses & Light Shifts,
New Delhi- 110001.
3. The Director,
Directorate of Light Houses & Light Shifts,
Deep Bhavan, Gandhi Nagar,
Kadavanthara P.O. Kochi- 682 020

(By Advocate: Mr.E N Hari Menon)

The O.A having been heard on 9th September, 2021 through video conferencing, this Tribunal delivered the following order on the same day:

O R D E R (ORAL)

P.Madhavan, Judicial Member

This Original Application has been filed by the applicant seeking the following reliefs:

“(i) Declare that the non-feasance on the part of the respondents to grant the applicant the benefit of PB 1 of Rs. 5200-20,200/- + GP Rs.1800/-, with effect from 01.01.2006 and the consequential benefit of First Financial Upgradation with revision of pension and other retirement benefits including arrears of gratuity, commuted value of pension etc. is arbitrary, discriminatory, unreasonable and unconstitutional;

(ii) Direct the respondents to grant the applicant the benefit of PB 1 of Rs.5200-20,200/- + GP Rs.1800/-, with effect from 01.01.2006 and the consequential benefit of First Financial Upgradation with revision of pension and other retirement benefits including arrears of gratuity, commuted value of pension etc. within a time frame as may be found just and proper by this Hon'ble Tribunal;

(iii) Award costs of and incidental to this application;

(iv) Pass such other orders or directions as deemed just fit and necessary in the facts and circumstances of the case.

2. The brief facts of the case are as follows:

The applicant is aggrieved by non-granting of appropriate revised scale, ACP benefits, commuted value of pension etc. In this connection, the applicant has submitted Annexure-A8 detailed representation on 15.02.2021, to the 3rd respondent and no response has been received so far. Hence the applicant has approached this Tribunal praying for the above reliefs.

3. When the matter came up for consideration, it appears that Annexure-A8 representation is still pending and it has to be disposed of before approaching the

Tribunal.

4. Adv.Mr.E N Hari Menon takes notice on behalf of the respondents.

5. In view of pendency of the representation, **the Competent Authority is directed to consider Annexure A-8 representation on the basis of relevant rules and regulations and pass a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order.**

6. The O.A 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 order dated 22.12.2017 in OA No. 324/2017 of this Hon'ble Tribunal.

Annexure A2- True copy of order dated 11.07.2018 in revision application bearing RA No. 39/2018 filed by the official respondents.

Annexure A3- True copy of judgment dated 09.10.2019 in OP(CAT) No.88/2018 of the Hon'ble High Court of Kerala.

Annexure A4- True copy of PPO No. 88300200085/1449-50 dated 12.03.2020 issued by the 2nd respondent.

Annexure A5- True copy of Pension Payment Order communicated under No. DDO:DLL COCHIN/1445-48 dated 12.03.2020, issued by the 2nd respondent.

Annexure A6- True copy of office order No. 1-3/268/95-Estt. dated 23.07.2008 issued by the 3rd respondent.

Annexure A7- True copy of letter bearing No. 1-1/26/99-Admn Vol.VII dated 20.07.2009 issued by the 3rd respondent.

Annexure A8- True copy of detailed representation dated 15.02.2021 submitted by the applicant addressed to the 3rd respondent.

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