

**Central Administrative Tribunal
Ernakulam Bench**

O.A No.180/00179/2021

Friday, this the 9th day of April, 2021

CORAM:

Hon'ble Mr. P.Madhavan, Judicial Member

Hon'ble Mr.K.V.Eapen, Administrative Member

Raghu.R, S/o.N.Rathi Ramanan

Aged 48 years, Assistant Engineer (Civil),

AAD (Plg), O/o. Chief Engineer (NW), Kataribagh

Naval Base P.O

Kochi – 682 004

Residing at Niyathy House, Allapra Post

Perumbavoor – 686 556

- Applicant

(By Advocate: Mr..R.Sreeraj)

Versus

1. Union of India represented by its Secretary to the
Government of India
Ministry of Defense, New Delhi – 110 001

2. The Engineer in Chief, Military Engineer Services
Integrated Headquarters, New Delhi – 110 001

3. The Chief Engineer Headquarters Southern Command
Military Engineer Services, Pune – 400 001

4. The Chief Engineer (NW) Kochi
Military Engineer Services
Kataribagh, Naval Base, Kochi – 682 004

- Respondents

(By Advocate: Mr.T.C.Krishna,Sr.PCGC)

The application having been heard on 9th April, 2021, this Tribunal delivered the following order the same day.

O R D E R (ORAL)

Per: P.Madhavan, Judicial Member

This is an Original Application filed seeking the following reliefs:

“(i) Declare that the inaction on the part of the respondents in fixing the pay of the applicant in pay matrix level 9, with effect from 26.5.2018, in consonance with the recommendations of the 7th Central Pay Commission as accepted by the Government of India as per Ministry of Finance (Department of Expenditure) Resolution No.1-

2/2016-1C dated 25.7.2016, is illegal, arbitrary, unjust, unreasonable and irrational and that the same violates Articles 14 and 16 of the Constitution of India.

(ii) Direct the respondents to fix the pay of the applicant in pay matrix level 9, with effect from 26.5.2018, with all consequential benefits.

(iii) Such other relief as may be prayed for and this Hon'ble Tribunal may deem fit to grant."

2. When the case was taken up today, it appears that Annexure A-3 representation is still pending without any consideration at the end of the respondents.

3. Counsel for the respondents submits that he has no objection in disposing of the representation.

4. In view of the limited prayer, **the O.A is disposed of with a direction to the respondents to dispose of the representation dated 30.1.2020 (Annexure A-3) submitted by the applicant on the basis of relevant rules and regulations and pass a speaking order within a period of three months from the date of receipt of a copy of this order.**

5. The Original Application is disposed of accordingly at the admission stage itself. No costs.

(K.V.Eapen)
Administrative Member

(P.Madhavan)
Judicial Member

List of Annexures

Annexure A1 - True copy of the relevant portions of the recommendations of the 7th Central Pay Commission

Annexure A2- True copy of the Government of India, Ministry of Finance (Department of Expenditure) Resolution No.1-2/2016-IC dated 25.7.2016

Annexure A3- True copy of the representation dated 30.1.2020 submitted by the applicant to the 2nd respondent .

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