

**Central Administrative Tribunal  
Ernakulam Bench**

O.A No.180/00242/2021

Thursday, this the 10<sup>th</sup> day of June, 2021

**CORAM:**

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

K.J.Poulose, aged 60 years  
S/o.P.Jacob, Retd. Tradesman Mate  
Naval Armament Depot, Aluva  
Residing at Kakkattel House  
Ramamangalam, Mamalassery P.O  
Ernakulam District – 686 663

## Applicant

(By Advocate: Mr.T.C.G Swamy)

## Versus

1. Union of India  
Represented by its Secretary to Government of India  
Ministry of Defence  
New Delhi – 110 001
  
2. The Chief General Manager  
Naval Armament Depot, NAD Post, Aluva  
Ernakulam District – 683 663 - Respondents

(By Advocate: Mr.M.K.Padmanabhan Nair, ACGSC)

The O.A having been heard on 10<sup>th</sup> June, 2021 through video conferencing, this Tribunal delivered the following order on the same day:

## ORDER (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 forthwith release the applicant's provisional pension as also the leave encashment, GPF amount, Group

*insurance amount etc. is arbitrary, discriminatory, contrary to law and unconstitutional.*

*(ii) Direct the respondents to release the applicant's provisional pension for the period from 1.3.2021 and also the applicant's leave encashment, and to pay the same within a time frame as may be found just and proper by this Hon'ble Tribunal.*

*(iii) Award costs of and incidental thereto”*

2. The applicant is aggrieved by the inaction on the part of the respondents in releasing the provisional pension/leave encashment due. Hence the applicant has approached this Tribunal praying for the reliefs as stated above.

3. When the matter came up for admission hearing, it appears that Annexure A-2 representation for granting provisional pension is pending before the Competent Authority.

4. In view of the pendency of Annexure A-2 representation, **the competent authority is directed to consider Annexures A-2 representation in the light of relevant rules and regulations on the subject and pass a reasoned and speaking order within a period of 40 days from the date of receipt of a copy of this order.**

5. The Original Application is disposed of as above. No costs.

**(K.V.Eapen)**  
**Administrative Member**

**(P.Madhavan)**  
**Judicial Member**

**List of Annexures**

Annexure A1 - A true copy of the objection filed by the applicant on 4.3.2021.

Annexure A2- A true copy of the representation submitted by the applicant to the 2<sup>nd</sup> respondent dated 15.4.2021.

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