

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/249/2021

This the 17th day of March, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)**

Charanjit Singh Age 60 years, S/o Late S Mohan Singh, R/o 446 Nababad Narwal Bye Pass Tehsil & District Jammu, Group: 'C' Designation: - In-charge Mechanic.

.....Applicant

(Advocate:- Mr. K Nirmal Kotwal)

Versus

1. Union Territory of Jammu & Kashmir through Commissioner/Secretary Public Health Engineering Department, J&K Govt. Civil Secretariat, Jammu/Srinagar-180001.
2. Chief Engineer, PHE BC Road, Jammu-180001.
3. Executive Engineer PHE Mech Div (South), Jammu Tehsil & District: Jammu-180001.
4. Accountant General, Rajpura Canal Road, Jammu-180001.

.....Respondents

(Advocate: Mr. Sudesh Magotra, Deputy Advocate General)

O R D E R

[O R A L]

(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)

Learned counsel for the applicant submits that the applicant attained superannuation from Government service on 31.01.2021 in the pay scale of Rs. 35000-112400 (level-6) and respondent no. 1 to 3 recommended the case of the applicant for settlement of pensionary & other retiral benefits according to the last pay drawn by the applicant. However, respondent no. 4 instead of settling the pension and other retiral benefits of the applicant according to the last pay received by the applicant intends to settle the pension of the applicant and other retiral benefits on a lower pay scale without taking into consideration the lay pay of the applicant as required under Rule 242 of the CSR.

2. Learned counsel for the applicant submits that the applicant would be satisfied, if a direction is issued to the respondents to treat this O.A as representation preferred by the



applicant and take a decision on the same by passing a reasoned and speaking order within a stipulated time frame.

3. We have heard Mr. K Nirmal Kotwal, learned counsel for the applicant and Mr. Sudesh Magotra, learned D.A.G. for the respondents and perused the records.



4. Looking to the limited prayer made by the learned counsel for the applicant, we dispose of the O.A. with direction to the respondents to treat this O.A. as representation preferred by the applicant and take a decision on the same by passing a reasoned and speaking order and communicate the decision so taken to the applicant within a month from the date of receipt of certified copy of this order. While taking a decision, the respondents should also take into consideration the judgements relied upon by the applicant in the O.A.

5. It is made clear that we have not entered into the merits of the case.

6. There shall be no orders as to cost.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)