

(R)

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
AHMEDABAD BENCH

**O.A. NO. 259/88**

**T.A. NO.**

**DATE OF DECISION** 29.6.1994

Shri Mahendrabhai Shankerlal Rawal Petitioner

Party in Person

Advocate for the Petitioner (s)

Versus

Union of India & others

Respondent

Mr. Akil Kureshi

Advocate for the Respondent (s)

**CORAM**

The Hon'ble Mr. N.B. Patel

: Vice Chairman

The Hon'ble Mr. K. Ramamoorthy

: Member (A)

**JUDGMENT**

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No.

(18)

Shri Mahendrabhai Shankerlal Rawal,  
Director, Ex-Officio Dy. Commissioner  
for Scheduled Castes and Scheduled Tribes,  
Government of India,  
8, Mill Officers' Colony, Ashram Road,  
Navrangpura, Ahmedabad-380 009.

: Applicant

(Party-in-Person)

Versus

1. Union of India,  
Through:  
Secretary,  
Ministry of Welfare,  
Shastri Bhavan,  
New Delhi-110 001.
2. The Secretary,  
Union Public Service  
Commission, Dholpur House,  
New Delhi-110 001.
3. The Secretary,  
National Commission for  
Scheduled Castes and Scheduled  
Tribes, Loknayak Bhavan,  
New Delhi-110 003.
4. The Commissioner for  
Scheduled Castes and Scheduled  
Tribes, West Block-1,  
R.K. Puram, New Delhi-110 066

: Respondents

(Advocate: Mr.Akil Kureshi)

ORAL ORDER

IN  
O.A.259/88

Date: 29/6/1994

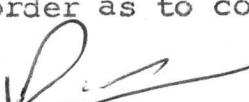
Per: Hon'ble Mr.N.B.Patel

: Vice Chairman

The applicant has superannuated from the post of Director w.e.f. 28.2.1989 (afternoon). He states that on his superannuation pension and other retirement benefits are given to him on the basis of his pay ~~as of~~ of the post of Deputy Director though he had actually worked as Director till the last date of his service. He further states that he has made a representation to the concerned authorities for re-fixing his pension and other retirement benefits on the basis of the last pay drawn by him as Director. It is further stated by him

: 3 :

that the representation is still not decided by the authority. The respondents are directed to take a decision on the representation of the applicant within a period of six weeks from the date of the receipt of a copy of this order bearing in mind the fact that the interim relief made by the Tribunal was that the applicant should not be reverted till the regularly selected person was available for being posted as Director and it is stated that such regularly selected person was not available till the date of superannuation of the applicant. It is also a fact that the applicant has actually worked on the post of Director and he was also getting salary of the post of Director till the date of his superannuation. The respondents are directed to bear these factors in mind while taking decision on the representation of the applicant and if they decide not to revise the pension of the applicant on the basis of the last pay actually drawn by him as Director, they are required to pass speaking order and to communicate the same to the applicant within 10 days of taking the order. If the applicant feels aggrieved by that may be taken on his representation open to him to challenge the said decision. In view of these directions, the applicant seeks permission to withdraw the present O.A. Permission granted. O.A. stands disposed of as withdrawn. No order as to costs.

  
(K. Ramamoorthy)  
Member (A)

  
(N.B. Patel)  
Vice Chairman