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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 273 of 2005

Date of order: 15.09.2005

CORAM :

HON'BLE MR. KULDIP SINGH, VICE CHAIRMAN.

Fateh Singh Rathore S/o Sh. Mag Singh, Aged about 65 years,
R/o Village & Post -Siyara, Via-Piparcity, District - Jodhpur.

Retired from the post of Technical Personnel (T-II-3) from the
office of the Director, Central Sheep & Wool Research Institute,
Avikanagar (Via-Jaipur) Rajasthan.

..... Applicant

Mr. R.S. Shekhawat, counsel for the applicant).

VERSUS

1. The Indian Council for Agricultural Research (ICAR), Krishi Bhawan, New Delhi through its Secretary.
2. The Senior Finance & Accounts Officer, Pension Cell North Zone, Central Arid Zone Research Institute (CAZRI), Near ITI Chauraya, Jodhpur (Raj.).
3. The Director, Central Sheep & Wool Research Institute, Avikanagar (Via- Jaipur) Rajasthan).

.... Respondents

ORDER (ORAL)

Heard learned counsel for the applicant.

The applicant has filed this Original Application seeking the relief that a direction may be issued to the respondents to grant the arrears of pay, allowance and pension in relation to the orders dated 19.1.2004 (Annexure A/1 to Annexure A/3).

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The facts as alleged by the applicant in the Original Application are that the applicant had been working under the respondents and retired on 30th June 2000 from the post of Technical Personnel (T-II-3). From the allegations, which has been made in the Original Application, it appears that after superannuation of the applicant, a P.P.O. was issued vide letter dated 6.7.2000 (Annexure A/4) and the applicant started getting pension. However, on 19th January 2004 three orders were issued which are marked as Annexures A/1 to A/3. Vide Annexure A/1, on the basis of recommendations of the Assessment Committee, the applicant was allowed advance increments. Vide Annexure A/2, the applicant was allowed Award Merit Promotion from the scale of pay 1640-2900 (T-4) to the scale of pay 2000-3500 (T-5) with effect from 1st July 1987. Vide 3rd letter of even dated the applicant has been granted award merit promotion from the post of T-II-3 in the pay scale of Rs. 425-700 to the post of T-4 in the scale of pay Rs.550-900 with effect from 01.01.1982. Since, these promotions have been granted from the date when the applicant was in active service, the pension of the applicant is required to be revised and to be re-fixed and some arrears might have become due to the applicant.



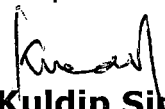
Though the applicant alleges that he had repeatedly and personally taken up the matter with the respondents, he failed to get any final response in spite of all the assurances of quick

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disposal of the matter on 2nd September, 2004 by the respondent No. 2. However, no document has been placed on record as on date the applicant had made representation if any and what kind of assurance was given to the applicant. It is seen from the records that the applicant has also not annexed any representation along with the Original Application. It seems that the applicant has approached the Court without filing any written representation. So ordinarily the case would not have been entertained but keeping in view that it is a pension matter, I think it would be appropriate if the respondents are directed to treat this Original Application as a representation of the applicant and pass a reasoned and speaking order thereon within a period of three months from the date of receipt of a copy of this order.



Accordingly, I allow the Original Application to the extent that this Original Application shall be treated as representation filed by the applicant and the respondents shall pass a reasoned and speaking order thereon taking into consideration the Annexures A/1 to A/3 dated 19th January 2004. The order shall be passed within a period of three months from the date of receipt of a copy of this order and shall be communicated to applicant. If any grievance survives thereafter, the applicant will be at liberty to file fresh Original Application as per law.


(Kuldip Singh)
Vice Chairman

Kumawat

Copy Received
Jms
20/9/65
for P.S. BHARU
ADU

Copy of material
& along with (CA) petition
& annexures sent to
P.F. + P.F.3 by Speed

Post Regd AD

Part II and III destroyed
in my presence on 17-1-14
under the supervision of
section officer () as per
order dated 18/12/13.

Vide No. 305

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CLT 207/14

Section Officer (Records)

17/1/14