

CENTRAL ADMINISTRATIVE TRIBUNAL: ERNAKULAM BENCH

Dated Friday the twentyeighth day of
July, One thousand, nine hundred and eighty nine.

Present

Hon'ble Shri NV Krishnan, Administrative Member

DA 425/89

N Unnikrishnan Nair

: Applicant

Vs

- 1 The Union of India rep. by
the Secretary, Ministry of
Defence, DHQ PO, New Delhi-
110 011
 - 2 The Director, Naval Physical &
Oceanographic Laboratory
Naval Base, Cochin-682 004
 - 3 The Controller of Defence
Accounts(Navy), No.1
Cooperage Road, Bombay-39.
 - 4 The Dy.Controller of Defence
Accounts-in-Charge
Area Accounts Officer, Controller
of Defence Accounts (Navy)
Cochin-682 004
- Mr M Girijavallabhan : Counsel of Applicant.
- Mr PVM Nambiar, Sr CGSC : Counsel of Respondents.

ORDER

Heard. *Admitted.*

- 2 The applicant also prays for an interim relief.
It is stated that all along after his promotion as
Office Superintendent, Grade-II from 4.8.82, he has
been drawing pay on the basis of the fixation which took
into account the special pay of Rs 30/- which he drew in
the earlier post of Cashier held by him.

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3 It is seen from the impugned Annexure-E letter dated 28.6.89 that the Senior Administrative Officer in the Office of Respondent-2 has sent a proposal to the AAO, CDA, Navy proposing the revised fixation of pay of the applicant on the post of Office Superintendent Gr.II without taking into account the special pay which he was drawing earlier. As this is ²an only proposal and final orders are yet to be passed, it was felt, and the counsel also agreed, that the OA itself can be disposed of with suitable directions which should provide relief to the applicant.

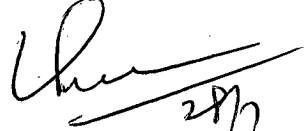
4 Accordingly, the application is disposed of with the following directions:

(a) The applicant may submit a representation to the AAO, CDA, Navy to whom the Annexure E letter is addressed (through proper channel with an advance copy) representing against the proposals made in Annexure-E and claiming the relief which he has claimed in this application.

(b) If that be done, the Respondent-4 is directed to dispose of the representation within a period of one month from its receipt.

5 Pending such disposal, the Respondents are directed not to fix the pay of the applicant in the manner proposed in Annexure-E.

6 The application is thus finally disposed of.


(NV Krishnan)
Administrative Member
28.7.89