

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O. A. No. 42/91  
XXXXXX

199

DATE OF DECISION 22.3.91

KC Baby \_\_\_\_\_ Applicant (s)

Mr PV Mohanan \_\_\_\_\_ Advocate for the Applicant (s)

Versus

The Director General \_\_\_\_\_ Respondent (s)  
ICAR, Krishi Bhavan,  
New Delhi and another.

Mr PVM Nambiar \_\_\_\_\_ Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. NV Krishnan, Administrative Member

The Hon'ble Mr. N Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

Mr NV Krishnan, A.M

The applicant had retired from the Indian Navy in July, 1983 at the age of 41 years. He was re-employed as Junior Clerk in the Central Institute of Fisheries Technology under Respondent-2 from 20.8.85 as per Annexure A-I appointment order.

2 The applicant's complaint is that on such re-employment, his pay has not been fixed in accordance with law, particularly increments in the matter of granting him on the minimum of the pay scale.

It is submitted in the application that in two other cases, in respect of CC Siran and Radhakrishnan Nair, such increments were granted in pursuance of the orders in OAK 74/87 and OAK 243/89.

The applicant also relies on four other judgments delivered by the Tribunal referred to in para 4.5 of this application.

3 The applicant has already submitted a representation dated 29.5.90 (Annexure A-II) to Respondent-2 to which no reply has still received. The applicant has prayed the following reliefs:

(a) to direct the respondents to fix the minimum pay of the applicant in the scale of Rs 260-400 (pre-revised) on re-employed post at a higher stage by taking into account the benefits of 22 increments for the service the applicant has rendered in the Indian Navy prior to his retirement and to carry out consequential fixation in the revised scale recommended by the 4th Central Pay Commission, and

(b) any other appropriate order, direction as this Hon'ble Tribunal deem fit.

4 We have heard the counsel for the respondents. He submits that Annexure II representation had already been forwarded to Respondent-1 for disposal. In view of the averments made in this application, we are of the view that the interest of justice would be met, if we direct Respondent-I to dispose of Annexure-II representation in accordance with law, keeping in view the special submissions made by the applicant at para 4.4 and 4.5 of this application, within a period of two months from the date of receipt of a copy of this order. We do so. A copy of this application may also be forwarded to the 1st respondent for information.

5 The application is disposed of accordingly.

N. Dharmadan 22.3.91  
(N. Dharmadan) Judicial Member Ad

91. Mr. 22/3  
(NV Krishnan)  
Administrative Member