

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 454/91
~~XXXXXX~~

199

DATE OF DECISION 27.3.91

M Sankara Panikkar Applicant (s)

Mr PV Mohanan Advocate for the Applicant (s)

Versus

Director General Respondent (s)

Indian Council of Agricultural
Research, 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

Shri NV Krishnan, Administrative Member

The applicant, after retirement from the Defence Force was re-employed by Respondent-2 by the order dated 21.12.84 (Annexure-I) as a Carpenter in the pay scale of Rs 260-400.

His grievance is that his pay on such re-employment has not been fixed properly and therefore, he has prayed the following reliefs:

- (a) To direct the respondent to fix the pay of the applicant in the scale of Rs 260-400 on re-employment post at higher stage by taking into account the benefits of 21 increments for the service the applicant has rendered in the Indian Air Force prior to his retirement and to carry out consequential fixation in the revised scale recommended by the 4th Pay Commission.

(b) Any other appropriate order or direction as the Hon^{ble} Tribunal deem fit in the interest of justice.

2 In support of the claim made by him, the applicant states that similar matters have been decided by this Tribunal in various judgments referred to by him in para 4 and 5 of the application.

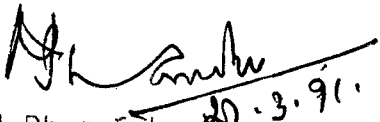
3 The applicant has also made a representation at Annexure-II dated 29.5.90 as this has not elicited any reply, this application has been filed.

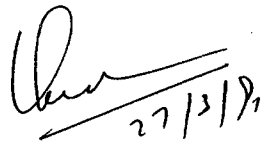
4 We have heard the learned counsel of both the parties. The learned counsel for the applicant submitted that he should be satisfied if the respondents are directed to dispose of the Annexure II representation of the applicant within a specified time limit taking into account the averment made by him in his application and particularly the judgment of the Tribunal referred to therein.

5 After hearing the counsel on both sides, we are satisfied that interest of justice would be met if such a direction is issued to the respondents as prayed for by the applicant's counsel. In this view of the matter, we do not wait for a formal reply from the respondents and proceed to dispose of this application. Accordingly, we direct the Respondent-2 to consider the Annexure-II representation dated 29.5.90 within a period of two months from the date of receipt of a copy of this order,

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keeping in view the submissions made by the applicant in the present application. The learned counsel for the Respondents undertakes to furnish a copy of the application to Respondent-1 for the purpose of disposal of the representation.


(N Dharmadan) 27.3.91
Judicial Member


(NV Krishnan)
Administrative Member

27-3-1991