

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.50/13

Wednesday this the 10th day of April 2013

C O R A M :

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

P.P.Lonappan,
S/o.P.A.Pappu,
Retired Assistant Accounts Officer,
Central Public Works Department.
At present residing at 31/848, Ponnurunni,
Vyttila P.O., Cochin – 19.

...Applicant

(By Advocate Mr.Biju Abraham)

V e r s u s

1. Union of India,
represented by the Secretary to the Govt. of India,
Ministry of Finance, Department of Expenditure,
New Delhi – 110 003.
2. Accountant General (A&E),
Kerala, P.B.No.5607, Trivandrum – 695 037.
3. The Executive Engineer,
Kottayam Central Division,
Central Public Works Department,
Public Library Building, Shastri Road,
Kottayam – 686 001. ...Respondents

(By Advocates Mr.George Joseph,ACGSC [R1&3]
& Mr.V.V.Asokan [M/s.Iyer & Iyer] [R2])

This application having been heard on 10th April 2013 this Tribunal
on the same day delivered the following :-

ORDER

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

Heard counsel for the parties. The applicant has prayed for the
following reliefs :-

2.

1. Direct the 2nd respondent to rectify the anomaly in the pay of the applicant with effect from 24.5.1973 by rising his pay to Rs.370/- based on the Annexure A-2 judgment and grant all periodical increments up to 26.1.1977 and intimate the same to the 3rd respondent for its implementation for regulation of his pay accordingly from time to time till his superannuation on 30.6.2006 and also to revise his pensionary benefits accordingly with further direction to pay the monetary benefits with interest at 10% per annum to the applicant within a time fixed by this Hon'ble Tribunal.
2. To award cost of this proceedings.
2. Vide Annexure R-2 (a) a clear instruction has been given by the C.A.G for rectifying the anomaly by way of stepping up of pay of the senior official on par with that of junior. On the basis of the same vide paragraph 10 of the reply, the respondents have committed that further action based on Annexure R-2 (b) is taken by the respondents which will settle the grievance of the applicant.
3. Taking judicial note of the same, we dispose of the O.A with a direction to the respondents to process the case further and ensure that their commitment is fulfilled, within a period of six months from the date of communication of this order. No order as to costs.

(Dated this the 10th day of April 2013)


K.NOORJEHAN
ADMINISTRATIVE MEMBER

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Dr.K.B.S.RAJAN
JUDICIAL MEMBER

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

R.A.No.21/13 in O.A.No.50/13

Tuesday, this the 28th day of May 2013

C O R A M :

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

P.P.Lonappan,
S/o.P.A.Pappu,
Retired Assistant Accounts Officer,
Central Public Works Department.
At present residing at 31/848,
Ponnurunni, Vytila P.O., Cochin – 19.

...Review Applicant

(By Advocate Mr.Biju Abraham)

Versus

1. Union of India
represented by the Secretary to the Government of India,
Ministry of Finance, Department of Expenditure,
New Delhi – 110 003.
2. Accountant General (A&E),
Kerala, P.B.No.5607, Trivandrum – 695 037.
3. The Executive Engineer,
Kottayam Central Division,
Central Public Works Department,
Public Library Building, Shastri Road,
Kottayam – 686 001. ...Respondents

(By Advocates Mr.George Joseph,ACGSC [R1&3] & M/s.Iyer & Iyer [R2])

ORDER

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

The review application has been filed seeking review of order dated 10.4.2013 whereby the respondents were directed to process the case further and ensure that their commitment is fulfilled within a period of six months. This review application has been necessitated, according to the review applicant, in view of the fact that M.A.No.290/13 filed by him for amendment was not taken into consideration at the time of disposal of the

.2.

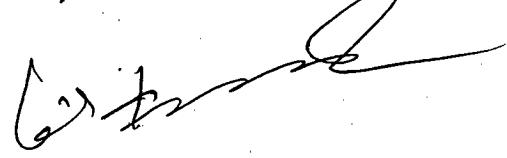
aforesaid O.A. The said M.A was filed bringing in Annexure-2, which is an instructions dated 17.1.2012 from the office of the C&AG, New Delhi, which give the details as to how the pay is to be fixed as on 1.1.1973 in the case of directly recruited UDCs who had passed the Departmental Confirmatory Test prior to 1.1.1973 and thereby already received four advance increments. According to the review applicant there being an error apparent on the face of the record this review has been filed.

2. We have gone through the order under review as well as the review application. This order was passed in the presence of the counsel for both the parties. At that time the existence of M.A.No.290/13 was not brought to the notice of the Tribunal.

3. Be that as it may, when C&AG had issued an order dated 17.1.2012 and the same is applicable to the case of the review applicant, needless to mention that the respondents shall consider the same as well, as long as the same is in conformity and not in derogation of A-2 given by the C&AG for rectifying the anomaly by way of stepping up of pay of the senior officials on par with juniors. As such, there is no need to review the order in the O.A. Accordingly, this review is closed without any further orders, however, with a stipulation that the respondents shall consider the case of the review applicant as committed by them keeping in view all the relevant orders that are applicable to the case of the review applicant.

(Dated this the 28th day of May 2013)


K.NOORJEHAN
ADMINISTRATIVE MEMBER
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Dr.K.B.S.RAJAN
JUDICIAL MEMBER