

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No. 492 of 2011

Friday, this the 30th day of November, 2012

CORAM:

**HON'BLE Mr. JUSTICE P.R. RAMAN, JUDICIAL MEMBER
HON'BLE Mr. K. GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

**E.T.K. Chandrasekharan,
MES No. 104186 (Service Book No. 7732),
Assistant Engineer (Civil) Retired,
S/o. Kittu, Eyyani Thottungal House,
(P.O) Nattika, Pin- 680 566,
Thrissur District**

- Applicant

(By Advocate Mr. P.K. Madhusoodhan)

Versus

1. **Senior Record Officer,
Central Record Office (Officers),
C/o. 56 APO – 900 106.**
2. **Chief Engineer (Naval Works),
Naval Base (P.O), Kataribagh,
Kochi – 682 004.**
3. **Principal Controller of Defence Accounts (Pension),
Allahabad, Utter Pradesh – 211 001.**
4. **Engineer-in-Chief, Engineer in Chief's Branch,
Army Headquarters, (P.O) Delhi Head Office,
New Delhi – 110 011.**
5. **Chief Engineer, Southern Command,
Pune – 411 001.**
6. **Union of India represented by its
Secretary to Government,
Ministry of Defence, New Delhi – 110 011.**

- Respondents

(By Advocate Mr. Sunil Jacob Jose, SCGSC)

**The application having been heard on 14.11.2012, the Tribunal on
30.11.2012 delivered the following:**

ORDER**HON'BLE Mr. K. GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

After more than 34 years of service, the applicant retired from service on superannuation as Assistant Engineer (Civil), Naval Academy, Ezhimala on 30.06.2006. At the time of retirement, his pay was not fixed in accordance with the VIth pay revision and he was not given the 2nd financial upgradation under the ACP Scheme. However, vide Annexure A-1 order dated 01.10.2009, his pay fixation under CDS (RP) Rules,2008 as per the VIth pay revision was made and vide Annexure A-8 order dated 23.11.2009, he was granted the 2nd financial upgradation. Consequential orders refixing his pay, revising his pension, commutation value, gratuity amount, leave encashment amount etc. and consequential payments were not made. Hence this O.A was filed on 03.06.2011 for redressal of his grievances.

2. No reply statement has been filed on behalf of the respondents. On 29.10.2012, learned counsel for the respondents submitted that the pay of the applicant has been refixed and that arrears of pay and allowances and encashment of earned leave amounting to Rs. 4,31,684/- has been paid by

cheque No. 762493 dated 23.07.2012. Learned counsel for the applicant submitted that the pension has not been refixed and balance of gratuity and arrears of pension are not paid.

3. When the case was finally heard on 14.11.2010, the O.A was not contested. It is indeed a sorry state of affairs if the respondents have not paid the applicant his dues on account of the VIth pay revision even in the year 2012. Hence the O.A is allowed as under.

A handwritten signature in black ink, appearing to read "JAI", is written over a diagonal line.A handwritten checkmark in black ink, consisting of a downward-pointing V shape.

4. The respondents are directed to refix the pension of the applicant and pay him arrears of pension and the balance gratuity within 60 days from the date of receipt of a copy of this order failing which interest @ 8% per annum on the outstanding amounts also should be paid to him for the period of delay counting from 03.06.2011 till date of payment.

5. No order as to costs.

(Dated 30th November, 2012)


K. GEORGE JOSEPH
ADMINISTRATIVE MEMBER


JUSTICE P.R. RAMAN
JUDICIAL MEMBER

CVR.