

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 527/97.

Tuesday this the 18th November, 1997.

CORAM:

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

HON'BLE MR. S.K. GHOSAL, ADMINISTRATIVE MEMBER

P.C. Padmanabhan Nair,
S/o K.G. Narayana Panicker,
Retired Head Master,
Government High School, Amini,
residing at Bitra, Anikad P.O.,
Kottayam District.

.. Applicant

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Administrator,
Union Territory of Lakshadweep,
Kavarathi.

2. The Accountant General,
Accounts and Entitlement,
State of Kerala, Trivandrum. .. Respondents

(By Advocate Shri P.R. Ramachandra Menon, ACCSC)

The application having been heard on 18th November, 1997, the Tribunal on the same day delivered the following:

ORDER:

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

Applicant seeks for a declaration that his pension/pensionary benefits are liable to be refixed reckoning the element of Island Special Pay drawn by him and to direct respondents to refix the pension/pensionary benefits of the applicant reckoning the element of Island Special Pay and to pay him the arrears of pension.

2. In the reply statement filed by the respondents in paragraph 3 it is stated :

" It is true that the cases preferred before the Supreme Court against the verdicts of this Hon'ble

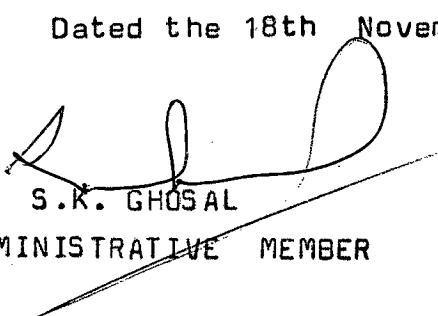
Tribunal involving Island Special Pay have been recently dismissed and as such the decisions rendered by this Hon'ble Tribunal in O.A. 580/93 and connected cases have become final. On the basis of the factual position as on date, it is submitted, that this respondent has taken earnest efforts to pass consequential orders in the concerned cases without any delay. In such effort the case of the applicant herein has also been considered and the revised pension papers have been prepared. Since separate Pay & Accounts Office has been formed for Lakshadweep Administration w.e.f. 1.4.1996 all further actions have to be taken in this regard by the said office and no such proceeding is pending or will lie with the second respondent. Accordingly the revised pension papers in the case of the applicant have been prepared and sent by the Director of Education, U.T. of Lakshadweep, Kavaratti to the Principal Pay & Accounts Office, Kavaratti vide letter F.No. 22/1/84-Edn.(AC) dated 30.5.97; a true copy of which is produced herein and marked as Annexure R-1 for reference. As it is quite obvious from Annexure R-1, a copy of the same has also been sent to the applicant for information."

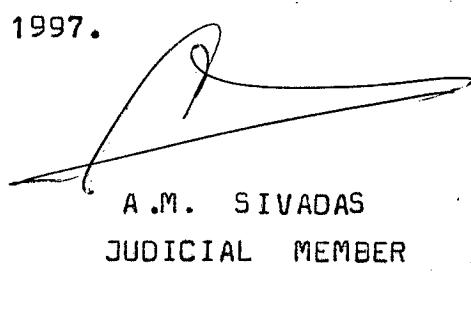
The submission made by the respondents in paragraph 3 of the reply statement is recorded.

3. The first respondent is accordingly directed to fix the pension/pensionary benefits of the applicant reckoning the element of Island Special Pay and pay him the arrears of pension within a period of four months of today.

4. Application is disposed of as aforesaid. No costs.

Dated the 18th November, 1997.


S.K. GHOSAL
ADMINISTRATIVE MEMBER


A.M. SIVADAS
JUDICIAL MEMBER

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Details of Annexure

Annexure R-1 Letter No. 22/1/84-Edn(AC) dated 30-5-97 sent by the Director of Education, UT of Lakshadweep Kavaratti to the Principal Pay & Accounts Officer Kavaratti.
