

CENTRAL ADMINISTRATIVE TRIBUNAL : ERNAKULAM BENCH

Date of decision: 15.11. 89

Present

Hon'ble Shri NV Krishnan, Administrative Member.
and

Hon'ble Shri N Dharmadan, Judicial Member.

OA 556/89

K Padmanabhan

: Applicant

Vs.

- 1 The Union of India rep.
by Secretary to Government,
Ministry of Communications,
New Delhi.
- 2 The Director General,
Department of Posts,
New Delhi.
- 3 The Senior Superintendent of
Post Offices, Kottayam Division,
Kottayam.

: Respondents

Mr KRB Kaimal

: Counsel of Applicant.

Mr TPM Ibrahim Khan, ACGSC

: Counsel of Respondents

O R D E R

Mr NV Krishnan, Administrative Member

This application has been filed by the applicant who is a retired pensioner seeking a direction to be issued to Respondents 1 & 2 to permit him to draw the military and civil pension separately and a direction to the Respondent-2 to take up and pass orders on Annexure-1.

2 The counsel of applicant stated that a representation dated 22.9.88 giving all the facts of the case was submitted by him to the Director General of Posts, Department of Communications, New Delhi. The relief sought in that representation is the same as has been mentioned in the

present application. In fact, it is because of the fact that the said representation was not disposed of in time ^{12 Oct} ~~when~~ this application has been filed.

3 We wanted the Respondents to indicate as to what has been to that representation. The learned counsel for the Respondents has produced a letter dated 8.11.89 addressed to him by the Postmaster General, Kerala Circle, Trivandrum for our perusal. It is stated that a similar representation was addressed by the applicant to the Minister of State, Department of Personnel and Administrative Reforms. On that representation the comments of Postmaster General, Kerala Circle have been forwarded to the Directorate at Delhi. It is for that reason that the applicant's representation dated 22.9.88 (Annexure-1) was not dealt with separately. However, in pursuance of the directions given by us when this application came up before us ^{for} ~~an~~ admission, it is stated that the Annexure A1 representation has also since been sent to the Directorate on 16.10.89. Considering these circumstances we are of the view that ^{is} this/a matter where the pensioner's claim for correct determination of pension is involved and therefore, it requires expeditious disposal. It is true that the applicant wants the pension to be refixed on a different basis. Whatever that may be, the applicant is entitled to a speaking reply from the Respondents. Apparently, such a reply has not been received by him. It would

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appear that the Respondents ~~have~~ already seized of
the matter in as much as the earlier ~~xxx~~ ~~the~~ application
addressed to the Minister is being dealt with by them.

4 We, therefore, direct the respondents to dispose
of the representation dated 22.9.1988 (Annexure 1)
within a period of two months from the date of receipt
of this order, and inform the applicant by a speaking ^{memorandum.} ~~the~~ ~~applicant~~ by a speaking/

5 The application is disposed of accordingly.

[Signature]
(N Dharmadan)
Judicial Member
15.11.89

[Signature]
(NV Krishnan)
Administrative Member
15.11.89