

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.558 of 1995

Thursday, this the 27th day of April, 1995

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR S P BISWAS, ADMINISTRATIVE MEMBER

Smt. G. Padmini Amma,
Aged 62, Pournami,
C.M.C.XI/203, Cherthala P.O.
Pin- 688 524

...Applicant

By Advocate M/s Sukumaran & Usha.

Vs

1 The Accountant General(A&E) of Kerala,
Accountant General Office,
Trivandrum.

2 State of Kerala rep. by
Secretary to Govt. of Kerala,
Department of General Education,
Trivandrum.

...Respondents

By Advocate Mr TPM Ibrahim Khan, Sr CGSC for R-1

By Advocate Mr D Sreekumar for R-2

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Pensionary benefits were denied to applicant on the ground that there is a break of one year's service between leaving the former employment and taking up the employment under the Central Government. Whether there is a break or not is a pure question of fact and it must be decided on evidence. No evidence is produced by applicant. Then the position is not different with the respondents also. The representation of applicant Padmini Amma is rejected by an order issued to Vasudevan Unni, a copy of which is marked to applicant. But there is no independent examination of the facts of applicant's case.

...Contd.

If applicant makes a proper representation supported by facts, 1st respondent shall examine the same with reference to records maintained by him, and if necessary by reference to second respondent. A final decision will be taken in the matter within three months of the date of receipt of the representation.

2 Application is disposed of as aforesaid. No costs.

Dated the 27th April, 1995.



S P BISWAS
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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