

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 59 of 2005

Thursday, this the 17th day of February, 2005

CORAM

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

1. Smt. T.V. Saraswathy,
W/o late T.N. Gopalakrishnan Nair,
28/681, Ambuja Nivas,
PO Chevayur,
Kozhikode.

.... Applicant

[By Advocate Shri A.V.M. Salahudeen]

Versus

1. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.
2. The Pay and Accounts Officer (Pension Wing),
Union Territory of Lakshadweep,
Kavaratti.
3. The Accountant General (A&E) Kerala,
Thiruvananthapuram.
4. The Headmaster,
Government Senior Basic School, Kalpeni,
Lakshadweep.
5. Union of India, represented by its Secretary,
Ministry of Finance, Department of Expenditure,
Central Pension Accounting Office, Trikoot-II,
Bhikaji Cama Place, New Delhi.

..... Respondents

[By Advocate Shri Shafik M.A (R1, R2 & R4)]
[By Advocate Shri T.P.M. Ibrahim Khan, SCGSC (R3 & R5)]

The application having been heard on 17-2-2005, the
Tribunal on the same day delivered the following:

O R D E RHON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

The applicant's husband who was a Language Teacher retired on 31-1-1996. According to the applicant, the pay was revised on implementation of the Vth Central Pay Commission as on 1-1-1996. The husband of the applicant made representations for getting the benefits of pay revision. He died on 3-10-2003 and the applicant pursued the matter. She made representations before the authorities but no response. Aggrieved by the inaction on the part of the respondents, the applicant has filed this application seeking the following reliefs:-


i) to direct the second respondent to revise the pay and pension of late T.N. Gopalakrishnan Nair, Language Teacher (Hindi), S.B. School, Kalpeni (PPO No. 708999600178) according to CCS RPR 1997 and disburse the arrears of pay, pension and gratuity thereof together with interest to the applicant.

(ii) to direct the second respondent to revise the family pension in respect of the late T.N. Gopalakrishnan Nair (PPO No. 708999600178) according to CCS RPR 1997 and disburse the arrears thereof together with interest to the applicant.

(iii) to grant such other reliefs as this Hon'ble Tribunal deems fit;

(iv) to grant the costs of this Original Application.

2. When the matter came up for hearing, learned counsel for the applicant submitted that in one of the correspondences issued by the Government of India, Ministry of Finance, the applicant was instructed to approach the appropriate forum and that the applicant will be satisfied if

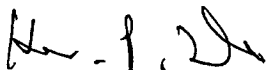


she is permitted to make a comprehensive representation to the pension sanctioning authority, i.e. the 1st respondent Administrator, Union Territory of Lakshadweep, Kavaratti, and the 1st respondent is directed to consider and dispose of the representation on merits within a reasonable time frame. Learned counsel for the respondents submitted that there is no objection in adopting such a course of action.

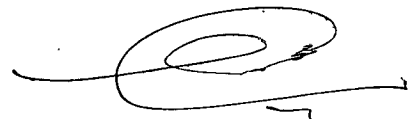
3. In the interest of justice, we permit the applicant to make a comprehensive representation to the 1st respondent, i.e. The Administrator, Union Territory of Lakshadweep, Kavaratti, within a period of two weeks from the date of receipt of a copy of this order and direct the 1st respondent to consider and dispose of the representation on merits within a period of two months from the date of receipt of the representation.

4. The Original Application is disposed of as above at the admission stage itself. In the circumstances, there is no order as to costs.

Thursday, this the 17th day of February, 2005



H.P. DAS
ADMINISTRATIVE MEMBER



K.V. SACHIDANANDAN
JUDICIAL MEMBER

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