

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 606 of 2013

Tuesday, this the 12th day of November, 2013

CORAM:

Hon'ble Mr. Justice A.K. Basheer, Judicial Member
Hon'ble Mr. Rudhra Gangadharan, Administrative Member

G. Ratnakaran Nair, Technical Officer (T-5) Retired
 Central Institute of Fisheries Technology (CIFT), Kochi-29,
 Residing at Adarsh, 56/1468, Jyothi Nagar, Konthuruthi,
 Cochin-682 013. **Applicant**

(By Advocate – Mr. Rajasekharan Pillai)

V e r s u s

1. The Indian Council of Agriculture Research,
 Krishi Anusandhan Bhavan, PUSA, New Delhi-110 012,
 Represented by the Secretary.
2. The Director, Central Institute for Fisheries Technology,
 Willington Island, Matsyapuri PO,
 Cochin – 682 029. **Respondents**

(By Advocate – Mr. P. Santhosh Kumar)

This application having been heard on 12.11.2013, the Tribunal on the same day delivered the following:

ORDER

By Hon'ble Mr. Justice A.K. Basheer, Judicial Member-

The grievance of the applicant who retired from service on November 30, 2009 while working as Technical Officer T-5 in the Central Institute of Fisheries Technology at Kochi is that the respondents have ignored the three increments granted to him in lieu of promotion to the T-6 grade while fixing pension. He prays that the three increments be reckoned as part of his pay

and his last pay be fixed accordingly. He further prays that the respondents be directed to confer T6 grade to him retrospectively with effect from January 1, 2005 and to recompute his pay and pension accordingly. He has also sought to quash Annexure A7 order passed by respondent No. 1 rejecting the above claim.

2. In the written statement the respondents have justified the stand taken in Annexure A7 and contended that as per the provisions contained in the Central Civil Services (Revised Pay) Rules, 2008 "the pay fixation benefit on promotion admissible to Government servant is only one increment and, therefore, it is inevitable on the part of the respondents to restrict the advance increment(s) hitherto granted to the non-promotees in lieu of promotion to a rate lower than the monetary benefit that would otherwise be admissible to the promotees".


3. Any how we do not deem it necessary to delve deeper in to the issue in view of the submission made by the learned counsel for the applicant at the Bar. Ms. Sabeena who appears for the applicant submits that the applicant would be satisfied if a direction is issued to respondent No. 1 to consider Annexure A6 representation submitted by him highlighting all his grievances. In the peculiar facts and circumstances of the case we are satisfied that the above prayer is only just and reasonable.

4. Therefore, the Original Application is disposed of with a direction to respondent No. 1 to consider and pass appropriate orders on Annexure A6

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strictly on its merit and in accordance with the rules governing the field. This shall be done as expeditiously as possible at any rate within three months from the date of receipt of a copy of this order after affording sufficient opportunity to the applicant to be heard if he so desires.

5. OA stands disposed of as above. No costs.


(RUDHRA GANGADHARAN)
ADMINISTRATIVE MEMBER


(JUSTICE A.K. BASHEER)
JUDICIAL MEMBER

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