

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A. NO. 606 OF 2012**

Monday, this the 1<sup>st</sup> day of October, 2012

**CORAM:**

**HON'BLE Mrs. K. NOORJEHAN, ADMINISTRATIVE MEMBER**

K. Govindan Nair (Retd. Brick Layer),  
Southern Railway. Residing at  
Arammandiyil House, Post Paral,  
Thalassery – 670 671.

- Applicant

(By Advocate Mr. P. Santhosh Kumar)

**Versus**

1. The Union of India represented by  
The General Manager,  
Southern Railway, Chennai – 600 003.

2. The Senior Divisional Personnel Officer,  
Southern Railway, Palakkad – 678 001.

- Respondents

(By Advocate Mr. Sunil Jacob Jose, SCGSC)

The application having been heard on 01.10.2012, the Tribunal on the same day delivered the following:

**ORDER**

**HON'BLE Mrs. K. NOORJEHAN, ADMINISTRATIVE MEMBER**

The applicant is aggrieved by the non-consideration of his case for re-fixation of pension in Pension Adalat.

2 The applicant has filed this Original Application seeking a declaration that the applicant is entitled to place his grievance personally before the Pension Adalat. The applicant avers that by virtue of a judgment from the Hon'ble High Court of Kerala, he is entitled for the scale of pay of Rs.110-150 with effect from 21.05.1965 and Skilled Grade in the scale of Rs. 260-400 from 01.03.1973. However, necessary fixation was not done by the respondents till his retirement on 30.11.1993. The Labour Court, Kozhikode in PWA No. 24/1980 dated 31.12.1994 held that the applicant was entitled to Skilled Grade with effect from 01.03.1973.

3. Arguments were heard and records perused.

4. It is seen that the issue involved is about re-fixation of pay with effect from 21.05.1965 and 01.03.1973. The applicant got an order in his favour from the Hon'ble High Court of Kerala by which revision of seniority was permitted and he was placed senior to three of his juniors. The applicant, has not taken timely action to get the judgment of the Hon'ble High Court of Kerala implemented by the respondents. His case was not considered in the Pension Adalat as re-fixation of his pay had to be done, which is an issue to be attended to by the Administrative Office and not the pension processing authority. Therefore, I do not find anything wrong in the impugned order issued by Respondent No. 2. The applicant is at liberty to submit a representation for re-fixation of pay to R-2. R-2 is directed to consider his representation, take an appropriate decision and intimate the decision within a time line of six months.

5. O.A is disposed of with the above directions. No costs.

(Dated 1<sup>st</sup> October, 2012)



**K. NOORJEHAN**  
**ADMINISTRATIVE MEMBER**

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