

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 78/ 1993

Monday, this the 1st day of November, 1993

SHRI N. DHARMADAN JUDICIAL MEMBER

T. Kumara Menon
Chelekat Leela Vilas
Irinjalakuda-680 121

Applicant

By Advocate Mr. Premjith

vs.

1. Union of India represented by the
Secretary to Government, Ministry of
Defence, New Delhi

2. Canteen Stores Department,
'Adelphi' 119, Maharshi Karve Road
Bombay-400 020 represented by its
Chairman & General Manager

3. Board of Control, Canteen Services
Army Headquarters, DM P.O. New Delhi
represented by its Secretary

Respondents

By Advocate Mr. C.N. Radhakrishnan, ACGSC

ORDER

MR. N. DHARMADAN

It appears that this case is covered by the
direction of the Supreme Court in Annexure-A judgment. The
operative portion of the direction is as follows:

"We accordingly allow the appeal, set aside the
order of the High Court and direct the respondents
to compute the appellant's pension in accordance
with the directions contained in the O.M. dated
3.12.77 by granting benefit of the period of
service rendered by the appellant in the Canteen
Stores Department from 5.4.1956 to 5.11.1969.
The respondent authorised will take immediate
steps for granting the revised pension to the
appellant within three months."

2. The learned counsel appearing on behalf the parties
submitted that in the light of the directions, the case can be
disposed of particularly when some amount has already been
paid by the respondents to the applicant. The
learned counsel for respondents submitted that they have
fully complied with the direction of the judgment by making
payment of Rs. 54,000/- towards the claim of the applicant.

3. The learned counsel for applicant brought to my notice Annexure-T and submitted that a further amount of Rs. 28,000/- is due to him. The learned counsel for the respondents submitted that in the reply they have answered this allegation and the applicant is not entitled to any further amount. But if the applicant is able to satisfy them that additional amount is really due to the applicant on the basis of the direction of the Supreme Court, the respondents are prepared to pay the amount.

4. In the light of the above statement, I am satisfied that the application can be disposed of with appropriate direction. Accordingly, I direct the applicant to file a detailed representation before the second respondent with all supporting documents to establish the claim of Rs. 28,000/- and such other claims on the basis of the direction of the Supreme Court. This shall be done within a period of three weeks from the date of receipt of the copy of this judgment. If such a representation as directed above is received by the second respondent, it shall be considered and disposed of in accordance with law bearing in mind the above observation and direction of the Supreme Court. This shall be done within the period of three months from the date of receipt of the representation, after giving an opportunity of being heard to the applicant.

5. The application is disposed of on the above lines.

6. There shall be no order as to costs.


(N.DHARMADAN)
JUDICIAL MEMBER

knn

List of Annexures

1. Annexure-A : Judgment of the Supreme Court in Special Leave to Appeal (Civil/Crl) No. 568/87 dated 25.7.91
2. Annexure-T : Representation of the applicant dated 13.10.92 addressed to the Chairman, Canteen Stores Depot, Bombay