

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 108 of 2005

Thursday, this the 24th day of February, 2005

CORAM

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

1. P.M. Sadanandan,
Skipper (Rtd),
41/152, Elamkulam, Kaloore PO,
COCHIN - 17

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Applicant

[By Advocate Shri C.S.G. Nair]

Versus

1. The Director,
Central Institute of Fisheries, Nautical &
Engineering Training, Fine Arts Avenue,
Ernakulam,
COCHIN - 682 016
2. Union of India,
Represented by the Secretary,
Ministry of Agriculture,
New Delhi.

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Respondents

[By Advocate Ms. Aysha Youseff, ACGSC]

The application having been heard on 24-2-2005, the
Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

The applicant retired as Skipper on superannuation from Central Institute of Fisheries, Nautical & Engineering Training (CIFNET), Cochin. As per the Revised Pay Rules 1997, his pay was fixed with effect from 1-1-1996. Later when it was found that his junior was drawing more pay, the applicant's pay was refixed on 31-12-1998 with effect from 1-1-1996 by the 1st respondent. From 7-5-1997 the applicant

was on deputation for some period to the Department of Ocean Development. Arrears of pay as per the revised pay fixation from 1-1-1996 to 6-5-1997 was not paid so far. Aggrieved by the said inaction, the applicant has filed this application seeking the following reliefs:-

"i) To direct the 1st Respondent to draw and pay the arrears of pay from 01.01.1996 to 06-05.1997 as per the revised pay fixation order dt. 31.12.1998 fixing the pay of the applicant at Rs.12,925/- with effect from 01.01-1996.

ii) To direct the Respondents to pay interest @ 10% for the amounts due with effect from 01.01.1999.


iii) Grant such other relief or reliefs that may be urged at the time of hearing or that this Hon'ble Tribunal may deem fit to be just and proper.

iv) To grant cost of this Original Application."

2. Shri C.S.G. Nair, learned counsel appeared for the applicant and Ms. Aysha Youseff, learned ACGSC appeared for the respondents.

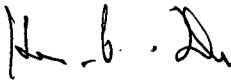
3. When the matter came up for hearing, learned counsel for the applicant submitted that Annexure A-11 representation dated 22-01-2005 is pending before the 1st respondent and the applicant will be satisfied if a direction is given to the 1st respondent to consider and dispose of the said representation within a time frame. Learned counsel for the respondents submitted that she has no objection in adopting such a course of action.

4. In the interest of justice, the 1st respondent is directed to consider and dispose of Annexure A-11 representation dated 22-01-2005 and if found eligible the amount may be disbursed to the applicant within a period of two months from the date of receipt of a copy of this order.

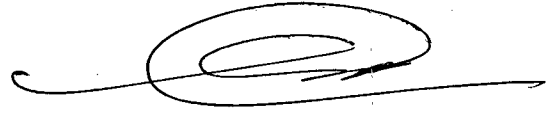


5. The Original Application is disposed of as above at the admission stage itself.
In the circumstances, there is no order as to costs.

Thursday, this the 24th day of February, 2005



H.P. DAS
ADMINISTRATIVE MEMBER



K.V. SACHIDANANDAN
JUDICIAL MEMBER

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