

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.161 of 1994

Tuesday this the 25th day of January, 1994

CORAM

THE Hon'ble Mr. Justice Chettur Sankaran Nair, Vice Chairman
THE Hon'ble Mr. P. V. Venkatakrishnan, Administrative Member

S. Sundareswaran Nair,
Retired Supervisor (Higher Selection
Grade) Railway Mail Service
Vined Vihar, Tank Road
Vanchiyoor, P.O. Trivandrum-35.Applicant

(By Advocate Mr. Thomas Mathew)

Vs.

1. Sr. Superintendent, R.M.S.
TV Division, Trivandrum-3.
2. Chief Post Master General,
Kerala Circle, Trivandrum.
3. Deputy Director, Post Accounts,
Trivandrum-10.
4. Director General, Deptt. of Posts,
New Delhi.
5. Union of India, represented by
its Secretary, Ministry of
Communication, New Delhi.Respondents

(Mr. George Joseph - Advocate for respondents)

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN.

Applicant complains that pay fixation effected long ago, was varied and his pension reduced in consequence. The variation was made in the view that option was not exercised by applicant in time. As we see from Paragraph 4 of the application, pay was fixed at Rs.1950/- with effect from 1.6.87 and applicant was allowed to draw such pay, until his retirement. It was a post retirement exercise, which brought about revision of the pay fixation. Counsel

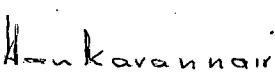
for applicant submits that after retirement this should not have been done and that too, at this distance of time. We notice that applicant had been making representations for about 6 years, to no avail. Annexure A2 is the earliest and Annexure A8 is the latest of those. It is high time that the competent authority made up its mind.

2. We have heard Additional Standing Counsel for Respondents. He is not able to justify the delay in taking a decision in the matter. If there are valid grounds for rejecting the request contained in Annexures A2 and A8, the 4th respondent shall state those grounds in writing within two months from today and communicate to applicant. If that is not done, it will be deemed that the initial fixation of pay was proper and the applicant will be paid accordingly.

3. Application is disposed of with the aforesaid directions. No costs.

Dated 25th January, 1994.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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