

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.NO.237/2004

Thursday, this the 11th day of November, 2004.

CORAM;

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

P.R.Krishna Narayanan,
2 G West Gate I Terrace,
Near Sacred Heart College Thevara
PIN: 682 013. - Applicant

By Advocate Mr P.V.Mohanan

Vs

1. Union of India represented by
its Secretary,
Ministry of Home Affairs,
New Delhi.
2. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.
3. The Accounts Officer,
Administration of the U.T. of Lakshadweep,
Principal Pay & Accounts Office,
Kavarathi,
U.T. of Lakshadweep. - Respondents

By Advocate Mr S.Radhakrishnan (for R. 2 & 3)


By Advocate Smt. C.Rajendran (for R.1)

The application having been heard on 11.11.2004, the Tribunal
on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN


The applicant who retired on superannuation on
31.8.1997, has in this application sought a direction to the
respondents to refix his pensionary benefits including DCRG,
Pension, Commuted Value of Pension and Leave Encashment based



on revision of pay as per A-6 and A-8 and disburse the arrears with interest at 18% per annum from the date of retirement till the date of payment and to grant and sanction leave encashment of 239 days based on revision of pay contained in A-6 and A-8.

2. The respondents have not filed any reply statement. When the matter came up for hearing, learned counsel of the respondents submitted that a reply has been filed, but the same is not on record. Learned counsel for respondents states that the pensionary benefits have been granted to the applicant, without interest. Since substantial claim of the applicant has been granted, learned counsel for the applicant submitted that the O.A. may be disposed of permitting the applicant to make a detailed representation claiming the interest of arrears on pension and D.A. etc. and directing the respondents to take an appropriate decision and if found eligible, to disburse the consequential arrears within a reasonable time. This suggestion is acceptable to the counsel for respondents also.

3. In the light of what is stated above, in view of the fact that substantial part of the claim of the applicant has already been met, we dispose of this application permitting the applicant to make a detailed representation to the respondents putting forth his claim for arrears on pension and D.A. etc. and interest on delayed payment within two weeks and directing the respondents that if such a representation is received, the same shall be considered in the light of the



rules and instructions on the subject and disposed of with a speaking order within three months from the date^{of} receipt of the representation and to disburse the monetary benefits, if found eligible, within a month thereafter. There is no order as to costs.

Dated, the 11th November, 2004.


A.W. HARIDASAN
VICE CHAIRMAN

trs