

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.287/2003.

Monday this the 7th day of April 2003.

CORAM:

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

C.H.Naire,
Retired I.A.S. Officer of Nagaland Cadre,
A9 - Gandhi Nagar Colony,
West Hill, Kozhikode-673 005. Applicant

(By Advocate Shri BG Bidan Chandran)

Vs.

1. Accountant General (A&E),
Nagaland, Kohima-797 001.
2. Pay & Accounts Officer,
Central Pension Accounting Office,
Trikoote-II, Bhikaji Cama Place,
R.K.Puram, New Delhi-110 066.
3. Tha Accountant General Kerala,
Thiruvananthapuram-695 039. Respondents

(By Advocate Shri M.Rajeev, ACGSC)

The application having been heard on 7th April 2003,
the Tribunal on the same day delivered the following:

O R D E R

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


The applicant is a retired IAS Officer of Nagaland Cadre and Special Sealed Authority vide order No.T.2/918 dated 22.11.2000 issued an order sanctioning the revised pension in accordance with the recommendations of the SE Pay Commission which was addressed to the AG, Thiruvananthapuram, Kerala. He has also produced a letter No. P.19/LG/Sp1 Seal/2000-01 dated 19.12.2000 of the Special Sealed Authority sanctioning revised pension to the applicant and returned the same to the Central Pension Accounting Office, New Delhi requesting him to make arrangements for the payment of pension in accordance with A-1 order. The said Central Pension Accounting Office reported that

they have not received A-1 Special Sealed Authority till date and requested to issue fresh sealed authority as the one issued earlier is presumed to be lost. The State Bank of India, Kozhikode since being the disbursing office in respect of the pensioner, expressed their helplessness in disbursing the pension to the applicant vide PPO No.3342 CR stating that the Sealed Authority as per Encl(1) has not been received by them and consequently, the revision of pension has not been given effect to. The applicant submitted that aggrieved by the inaction on the part of the respondents he made a representation dated 3.9.02 to the 1st respondent and no reply has so far been received and hence he filed this O.A. seeking the following reliefs.

- i) to direct the respondents to effect disbursement of the revised pension to the applicant and also the arrears of pension with interest @18% from the date on which he became entitled to get the same as per Annexure A-1 Special Seal authority.
- ii). give a further direction to the respondents to get a duplicate copy of the annexure A-12 order and send the same to the concerned authorities so as to make an early disbursement of revised pension to the applicant.
- iii). to award the costs of these proceedings.

2. When the matter came for hearing Shri Bidan Chandran, appeared for the applicant and Shri M. Rajeev, ACGSC appeared for the respondents. Learned counsel for the applicant submitted that the applicant would be satisfied, if a direction is given to the first respondent to consider and dispose of A-4 representation within a time frame.

3. Learned counsel appearing for the respondents submitted that he has no objection in adopting such a recourse.



4. In the light of the submissions made by the learned counsel on either side, I am of the opinion that if a direction is given to the respondents to dispose of the representation within a time frame that will ^{meet} ~~do~~ the ends of justice.

5. In the circumstances, this Court directs the Ist respondent or any other authority competent to consider A-4 representation and dispose of the same giving a speaking order to the applicant as expeditiously as possible and in any case within a period of two months from the date of receipt of a copy of this order.

6. O.A. is disposed of as above with no order as to costs.

Dated the 7th April, 2003.



K.V.SACHIDANANDAN
JUDICIAL MEMBER

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