IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.500/2001.
ORIGINAL APPLICATION NO.501/2001.

Date of decision : 3.2.2003.

Smt.Umiyaben Chunilal and Anr.	Applicant.
Mr. K.R.Yelwe.	Advocate for Applicant.
Versus	
Union of India & Ors.	Respondent(s)
Mr.V.S.Masurkar for R-1 and Mrs. H.P.Shah for R-2.	Advocate for Respondents.

CORAM :

Hon'ble Shri G.C.Srivastava, Member (A).

(1) To be referred to the Reporter or not?

(2) Whether it needs to be circulated to other Benches of the Tribunal? } No

(3) Library.

(G.C.SRIVASTAVA)
MEMBER (A)

B.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.500/2001.
ORIGINAL APPLICATION NO.501/2001.

Monday, this the 3rd day of February, 2003.

Hon'ble Shri G.C.Srivastava, Member (A)

Original Application No.500/2001.

Smt.Umiyaben Chunilal Rana,
Satyam Apt., Room No.407,
Kachigam Road,
B/h Human Temple,
Vapi. ...Applicant.
(By Advocate Mr.K.R.Yelwe)

Original Application No.501/2001.

Smt.Bhanumati U.Patel,
C/o. Smt. U.C.Rana,
Salyam Apartment,
Room No.407,
Kachigam Road,
Behind Hanuman Temple,
Vapi. ...Applicant.
(By Advocate Mr.K.R.Yelwe)

V.

1. Union of India through
   The Administrator,
   Union Territory of Dadra Nagar Haveli,
   Silvassa.
2. The Secretary to the Govt. of India,
   Ministry of Human Resources Development,
   (Department of Education),
   Curzon Road Banades,
   New Delhi. ...Respondents.

(By Advocates Mr.V.S.Masurkar for R-1
and Mrs. H.P.Shah for R-2).

: O R D E R (ORAL) :

G.C.Srivastava, Member (A).

Heard Mr.K.R.Yelwe, Learned Counsel for the applicant and Learned Counsel Mr.V.S.Masurkar and Mrs.H.P.Shah for Respondents No.1 and 2 respectively.

2. In these two OAs, the applicants who retired as Primary School Teachers from the service of the Respondents on 31.3.2000

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and 30.6.2001 respectively are aggrieved on account of not counting the period of service rendered by them w.e.f. 6.10.1964 to 31.5.1974 for the purpose of pension. Learned Counsel for the applicant submitted before the Bar that in case of certain colleagues of the applicants, this period has been allowed to be counted for the purpose of pension by the Government of Goa, while in their cases they have been discriminated and this period has been deducted from the total qualifying service, thereby putting the applicants to loss by way of pensionary benefits. He had also submitted that the applicants had given representations dt. 11.4.2000 and 18.7.2000, but no action seems to have been taken by the Respondents either to decide the representation or to count the period for the purpose of Pension. He has submitted that the applicants will be satisfied if the Respondents consider the representation and decide the same within a prescribed time by issuing speaking order.

3. The Learned Counsel for the Respondents have stated that the representations to be decided finally is by the Ministry of Human Resources DDevelopment (R-2) and the Department has actually no role except to communicate the decision taken in this regard. However, they have no objection, if directions are given to consider the representations given by the applicants and decide the same on merits.

4. Under the circumstances, the Respondent No.2 is directed to consider the representation dt. 11.4.2000 and 18.7.2000 submitted by the two applicants in the above two OAs and decide the same as per extant rules and regulations and pass a speaking

...3.

order under intimation to the applicants concerned. This shall be done within a period of four months from the date of receipt of a copy of this order. With the above directions, the OAs stands disposed of with no orders as to costs.

(G.C.SRIVASTAVA)
MEMBER (A)

B.