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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 627/97

DATE OF ORDER : 23-10-1997.

Between :-

V. Deva Sahayam

... Applicant

And

1. Government of India,
M/o Labour,
Rep. by its Pay and Accounts Officer,
Main Secretariat,
New Delhi-110001.
2. Government of India,
M/o Labour,
O/o Welfare Commissioner,
Labour Welfare Organisation
for A.P. & Tamilnadu.
3. Government of India,
M/o Labour,
O/o the Asst. Welfare
Commission, Labour Welfare,
Kalichadu Nellore District-524409,
A.P.

... Respondents

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Counsel for the Applicant : Shri P. Rathaiah

Counsel for the Respondents : Shri N.R. Devaraj, Sr. CGSC

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CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (A)

THE HON'BLE (Order per Hon'ble Shri R. Rangarajan, Member (A)).

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... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri K.Joseph for Sri P.Rathaiah, counsel for the applicant and Sri W.Satyanarayana for Sri N.R.Devaraj, standing counsel for the respondents.

2. The applicant was appointed as a higher grade teacher on 1-11-1950 and retired on 31-3-1984 after obtaining superannuation at MMLWO Elementary School Kalichadu. The applicant submits that he ^{has} put in total regular service of 33 years 5 months. He was drawing monthly basic ^{pay} of Rs.570/- pm in the scale of Rs.530-850 and his pension was fixed on that basis as Rs.285/- with effect from 1-3-84.

3. The applicant further submits that he was sanctioned the special grade and special adhoc promotion in the scale of pay of Rs.700-1200 fixing his pay at Rs.730/- as on 1-3-83 and raised his pay to Rs.760/- with the sanction of increment with effect from 1-3-84. He was paid the arrears of difference of Rs.3,473-90 ps from 1-12-82 to 31-3-84. The applicant further submits that he made several representations for re-fixing his pension at Rs.380/- with effect from 1-4-84. Respondent No.2 has also submitted to Dy.Secretary to Government of India, Ministry of Labour, Jaisalmer House, Mansing Road, New Delhi-110011 by letter dt.5-1-96 requesting him to look into the matter and expedite the particulars/information on priority basis. But it is stated that no reply has been given to those representation. The applicant made a latest representation dt.4-3-97, which is enclosed as Annexure-4 to the OA requesting Respondent No.2 to revise his pension ^{at} Rs.380/- with effect from 1-4-84 and pay him arrears but it is stated that no action has been taken on that representation.

4. This OA is filed praying for a direction to the respondents to consider his representation dt.4-3-97 requesting to revise his pension and re-fix at Rs.380/- and pay arrears of pension, difference of gratuity, commutation and other benefits along with interest.

5. The applicant retired on 1-4-84. It is not understood why he has waited till 8-5-97 to file this OA. Though the applicant submits that he has filed number of representations, no representation other than the latest one dt.4-3-97 is enclosed to this OA. Hence there is delay on the part of the applicant also in approaching this Tribunal. This point should also be taken note^{of} by the respondents while disposing of his representation dt.4-3-97. In the facts and circumstances of the case, the following direction is given. Respondent No.2 should dispose of the representation of the applicant dt.4-3-97 within two months from the date of receipt of a copy of this order in accordance with the law taking due note of the delay apportionable to the applicant, if any.

6. OA. is ordered accordingly at the admission stage itself.

No order as to costs.

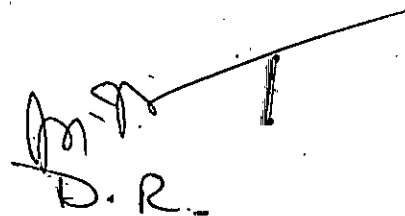


(R. RANGARAJAN)
Member (A)

Dated: 23rd October, 1997.

Dictated in Open Court.

avl/



D. R.

..4..

Copy to:

1. The Accounts Officer, M/O Labour, O/O Welfare Organisation, Main Secretariat, New Delhi.
2. Welfare Commissioner, Labour Welfare Organisation, for A.P., & Tamilnadu.
3. Asst. Welfare Commissioner, M/O Labour, Labour Welfare, Kalichady, Nellore District.
4. One copy to Mr. P. Rathaiah, Advocate, CAT, Hyderabad.
5. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT, Hyderabad.
6. One copy to D. R(A), CAT, Hyderabad.
7. One duplicate Copy.

YLKR

6/11/97
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M (J)

Dated: 23-10-97

~~ORDER/JUDGMENT~~

~~M.A./R.A./C.A.NO.~~

in

D.A.NO. 627/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

~~Ordered/Rejected~~ Admission stage

No order as to costs.

YLKR

II Court

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
दस्तावेज/DESPATCH
- 3 NOV 1997
हैदराबाद न्यायपीठ
HYDRABAD BENCH