

**Central Administrative Tribunal
Madras Bench**

OA/310/01328/2018

Dated Monday the 8th day of October Two Thousand Eighteen

P R E S E N T
Hon'ble Mr. R.Ramanujam, Member(A)
&
Hon'ble Mr.P.Madhavan, Member(J)

M.V.Rajendran
12/26, Second Street,
Shanthi Nagar, Adambakkam,
Chennai 600 088. .. Applicant
By Advocate **M/s.Paul & Paul**

Vs.

1. Union of India, rep by
Secretary,
M/o Information & Broadcasting,
'A' Wing, Shastri Bhavan,
New Delhi 110 001.
2. Prasar Bharati, rep by its
Deputy Director (Pers),
Prasar Bharathi Secretariat,
2nd Floor, PTI Building,
Sansad Marg, New Delhi 110 001.
3. The Director General,
All India Radio,
Akashvani Bhavan,
New Delhi 110 001.
4. The Deputy Director (Admn),
All India Radio & Doordarshan,
Chepauk, Chennai 600 005.
5. Pay & Accounts Officer,
All India Radio,
Mylapore, Chennai 600 004. .. Respondents

By Advocate **Mr.J.Vasu**

ORAL ORDER

(Pronounced by Hon'ble Mr.R.Ramanujam, Member(A))

Heard. The applicant has filed this OA seeking the following reliefs:-

“for quashing of the Circular Nos.F.No.Misc.1/330/2012-PPC dated 31.12.2015 of the 2nd respondent and Clarification No.A-26022/02/2012-S.II dated 05.1.2016 and the re-fixation of pay by the 4th respondent dated 20.9.2016 and the direction issued by the 5th respondent to recover any excess payment from 01.1.2006 from the Gratuity of the applicant in the letter dated 17.5.2018, as illegal and void; and

for a consequential direction to the respondents to restore the pay of the applicant as originally fixed in terms of the 2nd respondent's Order dated 03/04.10.2012 and refund the recovered sum of Rs.3,28,310/- with 18% interest

for such further or other relief or reliefs as this Tribunal may deem fit and proper in the circumstances of the case and thus render justice.”

2. Learned counsel for the applicant submits that the applicant who was working as a Head Clerk retired on superannuation on 31.5.2018. He made Annexure A8 representation dated 22.6.2018 to the respondents for restoration of his initial fixation of pay in the 7th CPC scales and for refund of Rs.3,28,310/- recovered from his DCRG towards alleged excess pay and allowances w.e.f. 01.1.2006. The said representation is still pending. It is submitted that the applicant would be satisfied if the competent authority is directed to consider it in accordance with law and the facts of his case and pass a reasoned and speaking order within a time limit prescribed by this Tribunal.

3. Mr.J.Vasu takes notice for the respondents.

4. Keeping in view the limited relief sought and without going into the substantive merits of the claim, the competent authority is directed to consider Annexure A8 representation dated 22.6.2018 of the applicant comprehensively dealing with all the points raised therein and pass a reasoned and speaking order in accordance with law within a period of three months from the date of receipt of a copy of this order.

5. OA is disposed of with the above direction at the admission stage.

(P.Madhavan)
Member(J)

08.10.2018

(R.Ramanujam)
Member(A)

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