

**Central Administrative Tribunal
Ernakulam Bench**

CP(C)/180/00125/2017
in OA 865/2006

Monday, the 8th day of April, 2019

CORAM

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE MR.ASHISH KALIA, JUDICIAL MEMBER**

1. B.Kanakamma, Typist/Clerk, aged 64,
S/o.Pankajakshan Nair
Human Reproduction Research Centre/ICMR
SAT Hospital, Medical College
Thiruvananthapuram, Residing at Souparnika
Anandeswaram, Chempazhanthy P.O
Thiruvananthapuram – 695 587
2. V.Gopalakrishnan Nair, aged 67
S/o.Vasudevan Nair, Driver
Human Reproduction Research Centre/ICMR
SAT Hospital, Medical College
Thiruvananthapuram, Residing at Aramam,
Porannoor, Erichakkal
Plamootikada P.O, Neyyattinkara
Thiruvananthapuram – 695 122 Petitioners

(By Advocate: Mr.Vishnu S Chempazhanthiyil)

Versus

1. Dr.Soumya Swaminathan
(Age & Father's name not known to the petitioners)
Director General, The Indian Council of Medical Research
Ansari Nagar, New Delhi – 110 029
2. Shri.C.K.Mishra
(Age & Father's name not known to the petitioners)
The secretary to Government of India
Ministry of Health and Family Welfare
New Delhi – 110 001

3. Prof.Balram Bhargava
Aged 66, S/o.Late Dr.K.P.Bhargava
Director General, Indian Council of Medical Research
V.Ramalingaswamy Bhavan, Ansari Nagar
New Delhi – 110 029 ... Respondents

(By Advocate: Mr.Thomas Mathew Nellimoottil)

The CP(C) having been taken up on 8th April, 2019, this Tribunal delivered the following order on the same day:

O R D E R (Oral)

Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

As stated in the affidavit, an order implementing the direction contained in the final order dated 2.7.2008 in O.A 865/2006, wherein the benefits in pursuance to the decision of the Madras Bench of Central Administrative Tribunal are extended to the applicants in the O.A, had been issued. It is seen that the order implementing the said decision is dated 15.1.2018 and further as per Annexure R1(e) dated 14.6.2018, certain documents have been called for from the petitioners so that all benefits could be granted. Mr.Vishnu S Chempazhanthiyil, learned counsel for the petitioners submitted that all required documents have been submitted as called for in the email message, but other than granting pension from January 2018 onwards, no other benefits in the form of arrears have been granted so far.

2. We are of the view that the CP(C) can be closed at this stage with a direction to the respondents to implement the order fully within two months from today and to disburse all eligible benefits to the petitioners within that time. In case of failure on the part of respondents, the petitioners will be at liberty to revive the CP(C). CP(C) is closed. Notices shall stand discharged.

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures

Annexure P1 - Photocopy of the Order dated 2.7.2008 in O.A No.865/2006 of the Hon'ble Tribunal

Annexure P2 - True copy of the communication No.6/17/96-Admn.II(Pt.I) dated 12.11.2010 issued by the 1st respondent

Annexure P3 - True copy of the affidavit dated 19.6.2014 filed in CP(C) No.40/2011 in O.A No.65/2007

Annexure P4 - True copy of the appointment order in respect of the 1st applicant

Annexure P4(a) - True copy of the appointment order in respect of the 2nd applicant

Annexure P5 - True copy of the order dated 1.2.2017 in Contempt Petition No.1465/2016 of the Hon'ble High Court of Judicature at Madras

Annexure P6 - True copy of the copy of communication No.V.25011/391/2014-HR/RTS-113857 dated 22.2.2017 issued by the Government of India, Ministry of Health and Family Welfare

Annexure P7 - True copy of the representation submitted by the 1st applicant dated 20.5.2015 to the 1st respondent

Annexure P7(a) - True copy of the representation submitted by the 2nd applicant dated 7.10.2015 to the 1st respondent

Annexure P8 - True copy of the communication No.5/10/HRRC/2005-RHN dated 10.9.2014 issued by the 1st respondent

Annexure P9 - True copy of the representation submitted by the 1st applicant dated 11.8.2017

Annexure P9(a) - True copy of the representation submitted by the 2nd applicant dated 11.8.2017

Annexure A10 - True copy of the order dated 9.6.2014 of the Tribunal.

Annexure R1(a) - True copy of letter No.37/Legal Cell/2013-RHN dated 15.1.2018

Annexure R1(b) - True copy of letter of office memorandum

No.F.No.NFU/HRRC/52/05/2014 dated 28.3.2018

Annexure R1(c) - True copy of the office memorandum
F.No.HRRC/GEN/2014 dated 28.3.2018

Annexure R1(d) - True copy of the letter
No.NFU/PER/SATH/Trivandrum/2017 dated 26.4.2018

Annexure R1(e) - True copy of the email sent to the applicant
calling for documents

Annexure R1(f) - True copy of the ICMR's letter No.16/Legal
Cell/2012 dated 14.5.2018

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