

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00093/2019

Dated Wednesday the 30th day of January Two Thousand Nineteen

**CORAM : HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

M.Durairaj,
No. 1, Sree Raghavendra Garden,
Veerakeralam Post,
Coimbatore 641007.Applicant

By Advocate M/s. M. Loganathan

Vs

1.The Union of India,
rep by its Director,
Central Board for Workers Education,
Ministry of Labour and Employment,
Government of India,
North Ambazari Road,
Near VNIT Gate, Nagpur 440033.

2.The Deputy Director (HQ) (I/c),
Central Board for Workers Education,
Ministry of Labour & Employment,
Government of India,
North Ambazari Road,
Near VNIT Gate, Nagpur 440033.Respondents

By Advocate Mr. Su. Srinivasan

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

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

"To call for the records of the 2nd respondent in its CBWE/Accts/Pen/PPO-744/2018 dated 07.01.2019 and the consequential order passed by the 2nd respondent in DTNBWED/Accts/Pen/PPO-744/2018 dated 07.01.2019 and quash the same and pass such other order or orders as may be deemed fit and thus render justice"

2. The grievance of the applicant is that the monthly pension of the applicant has been revised by Annexure A5 impugned order dt. 07.01.2019 allegedly without any notice and providing an opportunity to the applicant to show cause against the proposal. It was also directed that the excess paid from 01.05.2016 may be adjusted against future monthly pension payable to the applicant. Such action on the part of the respondents is unilateral and high handed, it is alleged.

3. Learned counsel for the applicant seeks to rely on the order passed by this Tribunal in OA 51/2018 dt. 22.01.2018 in an allegedly similar case wherein permission was granted to the applicant therein to make a representation against the impugned order and the respondents directed to pass a reasoned and speaking order thereon. It was also directed that in the meantime, no precipitate action would be taken with regard to the impugned order therein. It is submitted that the applicant would be satisfied, if a similar order is passed in this case.

4. Mr. Su. Srinivasan, SCGSC takes notice for the respondents.

5. Keeping in view the limited relief sought and without going into the substantive merits of the case, we are of the view that this OA could be disposed

of with permission to the applicant to make a representation to the competent authority within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same in accordance with law and pass a reasoned and speaking order within a period of six weeks thereafter. Respondents shall not give effect to Annexure A5 communication or any consequential order passed thereafter till such order.

6. OA is disposed of at the admission stage.

(P. Madhavan)
Member(J)

SKSI

30.01.2019

(R. Ramanujam)
Member(A)