

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTING : INDORE

Original Application No.201/01182/2018

Indore, this Wednesday, the 19th day of December, 2018

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Chaturbhuj Singh, S/o Late Shri Govind Singh, Age – 63 years, Occupation Retd Government Officer, R/o E-803, BCM Paradise, Nipania Road, Indore – 452010 (M.P) **-Applicants**

(By Advocate – Shri Adiya Choudhary)

V e r s u s

1. Union of India through Secretary, Department of Administration of Personnel and Training, North Block, New Delhi – 110001.
2. Secretary to the Government of India, Department of Pension and Pensioner's Welfare, North Block, New Delhi – 110001.
3. Government of M.P through Chief Secretary, Mantralaya, Vallabh Bhawan, Bhopal (M.P) – 462004.
4. Principal Secretary, General Administration Department, Mantralaya, Vallabh Bhawan, Bhopal (M.P) – 462004

-Respondents

(By Advocate – Smt. Seema Sharma)

O R D E R (O R A L)

The applicant is aggrieved by the fact that he has not been given the full benefit of 7th Pay Commission.

2. The applicant is a retired IAS officer, who was promoted from Madhya Pradesh State Civil Service in the year 2008 and

was allotted the batch of 2001. He retired from the post of Additional Secretary, Government of M.P, Department of School Education on 31.12.2015.

3. It is submitted by the applicant that his date of birth is 01.01.1956. As per the orders passed by the General Administration Department on 17.12.2015 (Annexure A-2), the date of birth of the applicant was notified as 31.12.2015 instead of 01.01.2016 due to which the applicant has been deprived of the full benefits of 7th Pay Commission.

4. The applicant has placed reliance on Annexure A-5 orders passed by the Principal Bench of this Tribunal in the case of **G.C. Yadav vs. Union of India & Ors.** (OA No.571/2017 decided on 17.04.2018), wherein the Principal Bench has dealt with a similar issue relying on the judgment of Hon'ble Supreme Court in the case of **S. Banerjee vs. Union of India**, AIR 1990 SC 295.

5. Learned counsel for the applicant submits that the applicant had made representations dated 05.10.2018 (Annexure A-1) and 30.11.2018 (Annexure A-3) for redressal of his grievances raised in this Original Application, which are still pending with the respondent department. At this stage, learned

counsel for the applicant submits that the applicant would be satisfied if the respondents are directed to consider and decide the aforesaid representations of the applicant in a time-bound manner.

6. I am of the view that the prayer made by learned counsel for the applicant is genuine particularly when the representations (Annexure A-1 & A-3) are pending before the respondents. Therefore, without going into the merits of the case, this Original Application is disposed of at the admission stage itself with a direction to the competent authority of the respondents to consider and decide the applicant's representations (Annexure A-1 & A-3), within a period of eight weeks' from the date of receipt of a certified copy of this order by passing a reasoned and speaking order. No costs.

(Ramesh Singh Thakur)
Judicial Member

am/-