

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01993/2014

Dated Tuesday the 3rd day of September Two Thousand Nineteen

**CORAM : HON'BLE MR. P. MADHAVAN, Member (J)
HON'BLE MR. T. JACOB, Member (A)**

1.B.Chandra Bose,
2/742, Bharathi Nagar,
Kangeyampalayam, Sulur,
Coimbatore 641401.

2.B.Thanushkodi,
7/347D16, Rainbow Avenue,
Sengathurai Road,
Kadambadi, Sulur,
Coimbatore 641401.Applicants

By Advocate M/s. Giridhar & Sai

Vs

1.Union of India,
rep by Under Secretary,
Government of India,
Ministry of Defence, New Delhi.

2.Air Office Commanding,
Air Headquarters,
Vayu Bhavan,
New Delhi 110106.

3.Air Commodore,
Air Officer Commanding,
5 BRD, Air Force,
Sulur, Coimbatore 641401.

4.Senior Accounts Officer,
Accounts Section,
5 BRD, Air Force,
Sulur, Coimbatore 641401.Respondents

By Advocate Mr. M. Kishore Kumar

ORAL ORDER

(Pronounced by Hon'ble Mr. P. Madhavan, Member(J))

Heard. The applicants have filed this OA seeking the following reliefs :

- "i. To call for records relating to Order No. 5BRD/1368/1/Accts/V, dated 23.12.2014, passed by the 3rd respondent and quash the same,
- ii. To direct the respondents to refix the basic pay of the applicant in the higher pay scale of Rs. 4000-6000 and accordingly to fix the pay of the applicant in the revised pay band of Rs. 5200-20200 with grade pay of Rs. 2400 at Rs. 9840 per month w.e.f 01.01.2006 with all consequential benefits, including arrears of pay and allowances and;
- iii. to award costs and pass such further and other ordres as may be deemed and proper and thus render justice."

2. When the matter is taken up for hearing, learned counsel for the applicants submits that the the 1st applicant had sought permission to withdraw this OA. Learned counsel for the applicants has filed a memo dt. 01.09.2016. Accordingly, the 1st applicant is permitted to withdraw the OA with regard to his case.

3. Learned counsel for the applicant No. 2 submits that this OA is covered by the order of the Bangalore Bench dt. 08.09.2017 in OA 314/2016. It is also submitted that the OM of the Ministry of Finance, No. 8-23/2017-E.IIIA dt. 28.09.2018 is in support of the 2nd applicant's claim. Learned counsel for the applicants submits that the 2nd applicant would be satisfied if he is permitted to submit a detailed representation with regard to his grievance citing the aforesaid order dt. 08.09.2017 of the Bangalore Bench and the OM dt. 28.09.2018 and the respondents are directed to consider the same within a time limit to be stipulated by this Tribunal.

4. Learned counsel for the respondents has no objection to the same if the facts stated are true.

5. Keeping in view the limited relief sought and without going into the substantive merits of the case, **we deem it appropriate to permit the 2nd applicant to submit a detailed representation to the respondents citing the aforesaid supporting materials to the respondents within a period of 2 weeks from the date of order. On receipt of such representation, the respondents shall consider the same in accordance with law and in the light of the order dt. 08.09.2017 of the Bangalore Bench in OA 314/2016 and the OM dt. 28.09.2018 of the Ministry of Finance (supra) relied upon by the 2nd applicant and pass a reasoned and speaking order within a period of 6 months thereafter.**

6. OA is disposed of. No costs.

(T.Jacob)
Member(A)

(P. Madhavan)
Member(J)

03.09.2019

SKSI