

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01198/2015

Dated Thursday the 29th day of November Two Thousand Eighteen

PRESENT

HON'BLE MR. P. MADHAVAN, Member (J)

&

HON'BLE MR. T. JACOB, Member (A)

M.Manickam,
No. 3, Vinayagar Koil 1st Cross Street,
Rajbai Nagar,
Avadi, Chennai 600071.

....Applicant

By Advocate M/s. Balan Haridas

Vs

1.Union of India,
rep by its Director General of Civil Aviation,
Civil Aviation Department,
Rajiv Gandhi Bhavan,
Opp. To Safdurjung Airport,
New Delhi 110003.

2.Deputy Director of Administration,
O/o Directorate General of Civil Aviation,
Opp. Safdurjung Airport,
New Delhi 110003.

3.Deputy Director General of Civil Aviation (Southern Region),
Civil Aviation Department,
International Air Cargo Complex,
Chennai Airport, Chennai 600027.

4.Airports Authority of India,
rep by its Regional Executive Director,
Southern Region,
Chennai Airport,
Meenambakkam, Chennai 600027.

....Respondents

By Advocates Mr. K. Rajendran (R1-3)
Mr. M.T.Arunan (R4)

ORAL ORDER

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

The applicant has filed this OA seeking the following reliefs:

"I. To set aside the order of the 2nd respondent dated 30.06.2015 bearing No. A.38020/04/2015-E.I and the order of the 3rd respondent dated 13/14.07.2015 bearing No. DAW/Pension/1084 respectively as illegal, arbitrary and contrary to law.

ii. Consequently direct the respondent No. 1 to 3 to sanction the pension with effect from the date when the same had been extended to the employees who had filed WP No. 39431 to 39434 of 2005 and WP Nos 14769 to 14773 of 2013 and pay pension along with pension arrears to the applicant and

iii. Pass such other orders or directions as this Hon'ble Tribunal think fit in the circumstances of the case."

2. When the matter is taken up for hearing, learned counsel for the respondents submits that the subject matter is pending before the Hon'ble Supreme Court as SLP (CC) Nos. 14031-14034 of 2016 and the department will be implementing the same on the basis of the outcome of the SLP. Learned counsel for the applicant submits that the applicant may be permitted to file a fresh representation before the competent authority and the competent authority may be directed to take a decision as per the ruling of the Hon'ble Supreme Court.

3. In view of the limited submission, the OA is disposed of without going into the merits of the case with the following direction :-

“The applicant is permitted to submit a fresh representation to the competent authority showing all the facts and circumstances within a period of two weeks from the date of receipt of a copy of this order. On receipt of such

representation, the competent authority shall consider the same in accordance with law and pass a reasoned and speaking order.”

(T.Jacob)
Member(A)

(P. Madhavan)
Member(J)

29.11.2018

SKSI