

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.3150/2019

Wednesday, this the 23rd day of October, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)

Shekher Srivastava,
S/o late Sh. SP Srivastava,
Aged about 60 years,
Group 'B', Mobile No.8510918159
R/o B-96, Pandara Road,
New Delhi-110003
(By Advocate: Mr. Prateek Tushar Mohanty)

- Applicant

Versus

Union of India
Through the Secretary,
Director General of Civil Aviation,
Ministry of Civil Aviation,
Opposite Safdurjung Airport,
Aurobindo Marg, New Delhi-110003

- Respondent

O R D E R (ORAL)

This Original Application (OA) has been filed by the applicant seeking the following reliefs:-

- “8.1 to allow the present Application.
- 8.2 to direct the Respondent to grant one notional increment to the Applicant only for Pensionary purposes;
- 8.3 to direct the Respondent to re-fix the Pension and other Pensionary Benefits of the Applicant in view of the grant of the notional increment;
- 8.4 to consequently direct the Respondent to pay to the Applicant the arrears of Pension and Pensionary Benefits from the date it was due (01.07.2019);
- 8.5 and as a consequence thereto, direct the Respondent Ministry to pay compound interest @18% per annum,

compounded annually, from 01.07.2019, till the payment is made;

8.6 to issue any such and further orders/directions this Hon'ble Tribunal deems fit and proper in the circumstances of the case; and

8.7 to allow exemplary costs of the application of the applicant.”

2. When this matter is taken up for admission, it was noted that the Registry had objected to listing the same for admission on the ground that the applicant had not exhausted the remedy by way of giving a representation to the respondent under Section 20 of the AT Act, 1985.

3. Counsel for the applicant stated that he could not find any rules with regard to giving a representation to the respondent department after retirement. This is not a correct position as even after retirement, there is a provision for memorial to be given to the Hon'ble President of India.

4. However, in the interest of justice and to ensure timely disposal of employee's grievances, we direct the applicant to give a copy of this OA to the respondents who will treat this matter as a representation and pass a speaking order thereon. We make it clear that we have not passed any order on the merits of the case.

5. With the above directions, the OA stands disposed of at the admission stage itself.

(Nita Chowdhury)
Member (A)

/lg/