
(2021) 10 CAT CK 0001

In the Central Administrative Tribunal

Case No : Original Application No. 180, 00495 Of 2021

Unnikrishnan C

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 01-10-2021

Acts Referred:

Citation : (2021) 10 CAT CK 0001

Hon'ble Judges : P. Madhavan, Member J; K.V. Eapen, Member (A)

Bench : Division Bench

Advocate : T.C.G. Swamy, Kala T. Gopi

Final Decision : Disposed Of

Judgement

P. Madhavan Member J

1. This Original Application has been filed by the applicants seeking the following reliefs:

"(a) Declare that the applicant is to be considered and granted the benefit of the 3rd financial upgradation, with effect from 20.10.2008 in PB 1 + GP Rs.2400/- and direct the respondents accordingly;

(b) Direct the respondents to consider and grant the applicant the benefit of the 3rd financial upgradation in PB 1 + GP Rs.2400/- with effect from 20.10.2008 with all the consequential benefits arising there from;

(c) Declare that the applicant is entitled to be granted the benefit of PB 1 + GP Rs.2800/- with effect from 15.03.2013 as the 3rd financial upgradation with all consequential benefits arising there from;

(d) Direct the respondents to grant the applicant the benefit of the 3rd financial upgradation in PB 1 + GP Rs.2800/- with effect from 15.03.2013 with all the consequential benefits arising there from;

(e) Direct the respondents to revise and grant the applicant's pension and other

retirement benefits in the light of the declarations and directions in paragraph (i) to

(iv) above, with all the consequential benefits of arrears arising there from;

(f) Award costs of and incidental to this Application; and

(g) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case."

2. The brief facts of the case are as under:

The applicant is a retired Shunting Master, Gr. II of Southern Railway, Palakkad Division and he had superannuated from service on 30.11.2016. The grievance of the applicant relates to denial of grant of PB 1 + GP Rs.2400 w.e.f 20.10.2008 and GP Rs.2800/- as 3rd financial upgradation w.e.f 15.03.2013, with recurring effect in the applicant's pension and other retirement benefits. Hence, the applicant has approached this Tribunal praying for the above reliefs.

3. When the matter came up for consideration, it appears that no impugned order is passed by the authorities concerned so remedies are not exhausted. Hence, the applicant is directed to file a comprehensive representation to 1st respondent.

4. Adv.Mr.Sunil Jacob Jose takes notice on behalf of the respondents and submits that respondents have no objection in considering the representation.

5. In view of the limited relief, the applicant is directed to file a detailed representation within a period of 2 weeks and the Competent Authority is directed to consider the same in the light of relevant rules, regulations and guidelines and pass a speaking order within a period of three months from the date of receipt of a copy of this order. It is made clear that the order passed in this case will not extend the period of limitation.

6. The Original Application is disposed of as above at the admission stage itself without going into the merits. No costs.