

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 7505 of 2015 (K)

PETITIONER(S):

ABRAHAM MATHEW AGED 70 YEARS
EX. GS 15509.W. SUPDT BR II
RESIDING AT KANJIRATHUMMOOTIL, MUTHUPEZHUMKAL, KONNY
PATHANAMTHITTA - 691 528.

BY ADV. SRI.R.RAJASEKHARAN PILLAI

RESPONDENT(S):

1. THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, B. WING
4TH FLOOR, SENA BHAWAN, NEW DELHI -11.
2. THE DIRECTOR GENERAL BORDER ROAD,
SEMA SADKA BHAVAN, RING ROAD DELHI CANTT, NEWDELHI.
3. THE PAO GREF,
ADMN. BLOCK, C/O. GREF CENTRE, DIGHI CAMP
PUNE -15
4. THE OFFICER COMMANDING,
95 RCC (GREF) C/O. 56 APO.

Addl.5. CHIEF ENGINEER
HQ, 753BRTE, PIN - 930753
C/O.56 APO

Addl.6. THE OFFICER COMMANDING
332 SPL GREF, 51RCC(GREF), PIN 930051
C/O.56 APO.

Addl.7. THE ACCOUNTS OFFICER (AO)
753, BRTE, PIN 930753
C/O.56 APOADDL.R5 TO R7 ARE IMPEADED AS PER ORDER DATED
17.08.2015 IN IA 11732/15.
R1 -R 4 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 7505 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1-TRUE COPY OF THE DISCHARGE BOOK OF THE PETITIONER.

EXHIBIT-P2-TRUE COPY OF THE JUDGMENT IN W.P(C) 18374/2012.

EXHIBIT P3=TRUE COPY OF THE LETTER DT 20.7.2015 OF THE OFFICER
COMMANDING 332 SPL(GREF)

RESPONDENT(S)' ANNEXURES

ANNEXURE R4(a): TRUE COPY OF THE PAY FIXATION ORDER OF COMMANDER, 753
BORDER ROADS TASK FORCE, C/O 56 APO DT 18.8.2015

ANNEXURE R4(b): TRUE COPY of the ORDER OF REVISION OF PENSION VIDE LETTER
DT 25.8.2015 OF OFFICER COMMANDING 332 SPL CARE TO THE OFFICE OF THE
PCDA (pENSION) ALLAHABAD

ANNEXURE R4(c): TRUE COPY OF FINAL SETTLEMENT OF PAY AND ALLOWANCES
CLAIM OF THE PETITIONER FOR EARLY PAYMENT ISSUED BY OFFICER
COMMANDING 332 SPL CARE TO THE OFFICE OF PAO(GREF) DIGHI CAMP,, PUNE

TRUE COPY

P.A TO JUDGE

jma

K. VINOD CHANDRAN, J

W.P(C) No. 7505 of 2015

Dated this the 22nd day of December, 2015

J U D G M E N T

The petitioner a member of the General Reserve Engineer Force (GREF) sought for two prayers. One, the fixation of the petitioner's pay in the post of Overseer with effect from 1.1.1996 in the scale of 5000-8000 as recommended by the 6th Pay Commission and that revision of the petitioner's pay and pension and consequent payment of arrears.

2. The pay re-fixation has been done. However, the arrears has not been paid as yet. There is also remaining to be issued the corrigendum pension payment order consequent on such re-fixation of the petitioner's pay and payment of arrears of pension with effect from 1.1.1999. In such circumstance, the petitioner shall be paid the entire arrears of pay and pension as eligible, in accordance with the recommendation of the 6th Pay Commission after re-fixing the pension as per the pay re-fixation

and issue necessary orders and make the payments, at any rate, within a period of six months from the date of production of a certified copy of this judgment.

Writ petition is disposed of. No costs.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge