

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C) .No. 31779 of 2014 (V)

PETITIONER(S) :

P.PILLAI AGED 77 YEARS
S/O.LATE K.K.KESAVA PILLAI
INSPECTOR GENERAL (RETD) BORDER SECURITY FORCE
KAILAS', EDAYARANMULA P.O, PATHANAMTHITTA DISTRICT
PIN - 689 532.

BY ADVS.SRI.C.S.GOPALAKRISHNAN NAIR
SMT.CHANDINI G.NAIR

RESPONDENT(S) :

1. JOINT ASSISTANT DIRECTOR (ACCOUNTS)
PAY AND ACCOUNTS DIVISION, BORDER SECURITY FORCE
PUSHPA BHAVAN, MADANGIR, NEW DELHI-110063.

2. CHIEF CONTROLLER
CENTRAL PENSION ACCOUNTING OFFICE
TRIKOOT II COMPLEX, BHICAJICAMA PLACE, R.K.PURAM
NEW DELHI - 110066.

3. DIRECTOR GENERAL OF BORDER SECURITY FORCE
BLOCK NO.10, CGO COMPLEX, LODHI ROAD
NEW DELHI - 110003.

4. UNION OF INDIA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF PENSION AND PENSIONER'S WELFARE
SOUTH BLOCK, NEW DELHI - 110001.

R1-R4 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT.P-1: PENSION PAYMENT ORDER NO.240559503249

EXT.P-2: A TRUE COPY THE PAY STRUCTURE OF BSF

EXT.P-3: A TRUE COPY OF THE REVISED P.P.O 240559503249/1523242/A4
DATED 18.1.2014

EXT.P-4: A TRUE COPY OF THE ORDER DT.16.8.2013 IN OA NO.1051/2012

EXT.P-5: A TRUE COPY OF THE JUDGEMENT OP(CAT) NO.4/14 DT.7.1.2014

EXT.P-6: A TRUE COPY OF THE REPRESENTATION DT.9.2.2014

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.31779 of 2014
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Dated this the 16th day of January, 2015

JUDGMENT

Petitioner was retired as Inspector General from the Border Security Force on 28.02.1995. Petitioner's present grievance is based on the 6th Central Pay Commission recommendation, he is entitled to revise pensionary benefits. Petitioner relies on the judgment of this Court in **T.R.Gopalakrishnan Nair Vs. The Deputy Director (Accounts)** in W.P(C).No.26509 of 2014 dated 19.11.2014. This Court allowed the above Writ Petition by directing the respondent authorities to revise the pension with reference to the revised pensionary benefits with effect from 01.01.2006 in tune with the Cabinet Resolution in O.M(F). No.38/37/08-P&PW(A) dated 01.09.2008.

2. In the light of the above, the issue is covered in favour of the petitioner. There shall be a direction to the first respondent to revise pensionary benefits to the petitioner with effect from 01.01.2006 as directed in the judgment of this Court in W.P(C). No.26509 of 2014. Needful shall be done within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/16/01/15