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Central Administrative Tribunal
Principal Bench

OA 2249/2002

New Delhi, this the day of 4th Sept. 2002

Hon'ble Shri Kuldip Singh, Member(J)

Shri S.K.Dhar,
S/o Late Shri Ram Chandra Dhar,
Retired Asstt.Driver, (Elect.)
CTFR South Eastern Railway,
Anara,
R/o 11, Harish Chandra Mathur Lane,
New Delhi-110001.
(By Advocate: Shri Mahesh Srivastava)

...Applicant

Versus

1. Union of India
through Its General Manager,
South Eastern Railway,
Garden Reach,
Calcutta.
2. Chief Personnel Officer,
xSouth Eastern Railway,
Garden Reach,
Calcutta.

ORDER(ORAL)

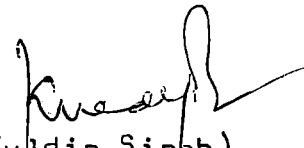
Grievance of the applicant is that the respondents did not revise the pension and has also not revised the post retiral benefits.

2. The facts as alleged by the applicant are that he was absent w.e.f. 9.12.80 to 16.5.87. The case of the applicant has been referred to the Railway Board and the Railway Board accorded the sanction and thereafter the period w.e.f. 9.12.80 to 16.5.87 has been regularised. It is stated that despite regularising the said period, respondents did not revise the pension as well as other retiral benefits of the applicant w.e.f. 1.1.86. It is also stated that the applicant's post retirement benefits should have been calculated on the basis of revised pay scale and not on the basis of pre-revised scale. While revising his pension the period of unauthorised absence from duty w.e.f. 9.12.80 to 16.5.87 was referred to the Railway Board for obtaining sanction to treat period as extraordinary leave since the applicant was absent beyond five years.
 3. Representation to this effect was also made by the applicant on 1.2.98 and thereafter legal notice was issued to the respondents but no response was received from the department.
 4. In view of above, I find that this OA can be disposed of at the admission stage itself with a direction to the respondents
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to decide the representation of the applicant within the stipulated time.

5. Accordingly, I direct the respondents to dispose of the representation of the applicant within a period of three months from the date of receipt of a copy of this order. Copy of the OA may be treated as supplementary representation.

6. The OA is accordingly disposed of with the above observation.


(Kuldip Singh)
Member(J)

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