

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

C.P. No. 133 of 1997 In

O.A. NO. 1769 OF 1994

(A5)

NEW DELHI THIS THE 20TH DAY OF AUGUST, 1997

HON'BLE DR. JOSE P. VERGHESE, VICE-CHAIRMAN (J)
HON'BLE MR. K. MUTHUKUMAR, MEMBER (A)

Shri Ranbeer Singh
S/o Shri Krorimal,
R/o Jhuggi No.139,
Near K-2 Block, Badarpur
New Delhi. Petitioner

By Advocate Shri A.K. Bhardwaj

Versus

1. Shri S.P. Mehta,
The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Shri K.K. Chaudhary,
The Divisional Railway Manager,
Delhi Division,
D.R.M. Office,
Paharganj,
New Delhi.
3. Dr. K. Suresh,
The Divisional Medical Officer,
D.R.M. Office,
Delhi Division, Paharganj,
New Delhi. Respondents

By Advocate Shri R.L. Dhawan

ORDER (ORAL)

Hon'ble Dr. Jose P. Verghese, Vice-Chairman

The order complained against is the one dated 21.12.1995 stating that the respondents have not yet complied with our order passed in O.A. 1769 of 1994 dated 21.12.1995. The respondents have stated in their reply that they have complied with the order and the pension is being paid as per their understanding

of the directions given in our order we have seen our orders and we are not satisfied with the compliance now being done and we would like to give one more opportunity to the respondents to comply with our orders within 4 weeks from the date of the order. We would like to clarify that the petitioner in the O.A. had restricted the relief to the retiral benefits only, even though at the time when the directions were given, there was a reference to pay the increment which does not occur in the framing of the relief. While complying with our orders, the respondents shall first calculate the increment due to him till 1.1.1986 and thereafter, give the benefit of the revision of the pay in accordance with the 4th Pay Commission recommendations and then calculate the increment on the said fixation till the date of the retirement and finally arrive at the last pay drawn and on the basis of the said amount, the pension shall be fixed with effect from the date of superannuation and if the difference in the amount payable is arrived at, the respondents shall pay difference of arrears in pension and report of the same shall also be given in the affidavit to be filed within 4 weeks of this order. Since the petitioner has already retired in the year 1993 and the order complained against is passed in 1995, we would like to impress upon the respondents to pass appropriate orders strictly by 22.9.97 and in case any further delay takes place, the respondents would be liable to pay 18% interest on all amounts unpaid to the petitioner. The petitioner is also at liberty to revive this C.P. in case no order is forthcoming.

(Ab)

The C.P. is disposed of as above.
Notices are discharged.

(AT)


(K. MUTHUKUMAR)
MEMBER (A)


(DR. JOSE P. VERGHESE)
VICE CHAIRMAN

Rakesh