

Central Administrative Tribunal  
Principal Bench

O.A.No.2107/95

Hon'ble Shri A.V.Haridasan, Vice-Chairman(I)  
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 1st day of December, 1998

1. Bharat Pensioners' Forum  
through its Executive Director  
Bharat Pensioners' Forum  
17, Hauz Khas Enclave  
New Delhi.

2. Shri N.H.Badlani  
s/o Shri Hargundas  
r/o Flat No.69 B.  
Pocket No.1, Dilshad Garden  
Delhi - 32.

3. Shri Pahlaj Rai  
s/o Kimal Rai  
r/o I/70-C, Dilshad Garden  
Delhi - 32.

4. Shri Pokar Das Dulani  
s/o Shri Daulat Ram  
127A, Pocket B.  
Dilshad Garden  
Delhi - 32.

... Applicants

(By Shri V.K.Rao, Advocate)

Vs.

1. Union of India through  
its Secretary  
Ministry of Personnel  
Nirvachan Sadan  
New Delhi.

2. Dy. Secretary to the Govt. of India  
Ministry of Personnel  
Public Grievances & Pensions  
Department of Pension and Pensioners' Welfare  
Nirvachan Sadan  
New Delhi - 110 001.

3. Member, Audit Board  
Office of the Member, Audit Board &  
Ex-official Director of Commercial Audit  
I.P.Bhavan  
New Delhi.

4. Post Master General (UP)  
Lucknow.

5. Director General  
Commission for Scientific Tech. Terminology  
Ministry of Education  
R.K.Puram(West Block)  
New Delhi.

... Respondents

(By Shri N.S.Mehta, proxy of Shri V.K.Mehta, Advocate)

*Me*

O R D E R (Oral)Hon'ble Shri R.K.Ahooja, Member(A)

The applicants herein are the Bharat Pensioners' Forum and three other Pensioners in their individual capacity who retired before 1.1.1986. Their grievance relates to the fixation of their pension after the revision of pay scales for pensioners pursuant to the recommendations of the Fourth Central Pay Commission w.e.f. 1.1.1986.

2. When the matter came up for final hearing today, the learned counsel for the applicants submitted that the Fifth Central Pay Commission has also dealt with the question of enhancement of pension of those who retired prior to 1.1.1986. As a result of the acceptance of the recommendations of the Fifth Central Pay Commission, the pensioners benefits of those who retired prior to 1.1.1986 and others who retired between 1.1.1986 and 31.12.1995 appeared to have been brought on par. The learned counsel for the applicant submitted that as a result of this development, it is possible that the grievance of the applicants would in large measure be resolved. The applicants would therefore like to pursue the matter with the respondents. It would take some time before their pension is revised and refixed and only thereafter it will be known to the applicants whether any grievance survives. In these circumstances, the learned counsel seeks permission to withdraw the OA in order to pursue the matter further with the respondents at the departmental level with liberty to come again before the Tribunal in case any grievance survives after the refixation of their pensions.

3. Having considered the matter the permission to withdraw the OA is granted subject to the aforesaid liberty.

14

The OA is disposed of as above. No Costs.



(A.V. HARIDASAN)  
Vice-Chairman



(R.K. Ahooja)  
Member (A)

/rao/