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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2269/2000

Friday, this the 2nd day of November, 2001

Hon'ble Shri S.A.T. Rizvi, Member (Admn)

Dr. Jnanesh Ranjan Roy
aged about 65 years
S/O Late Nalini Ranjan Roy
R/O C-301, Anandlok CGHS, Ltd.
Mayur Viha Phase I
Delhi-91.

..Applicant

(By Advocate: Shri S.K.Ray)

Versus

1. Union of India, Ministry of Health &
Family Welfare, Deptt., of Health
Nirman Bhavan
New Delhi-11.
through its Secretary
2. Union of India, Ministry of Personnel
Public Grievances Pension
Deptt. of Pension & Pensioners Welfare
Lok Nayak Bhavan, Khan Market
New Delhi-3.
through its Secretary
3. Union of India
Ministry of Finance
Deptt. of Expenditure, North Block
New Delhi-1.
4. Central Pension Accounting
Office M/O Finance Govt. of India
Trikoort II (Behind Hotel Hyatt Regency)
Bhikaji Cama Place
New Delhi-66
Through its Pay & Accounts Officer

...Respondents

(By Advocate: Shri Yashpal Singh for Shri V.S.R.Krishna)

O R D E R (ORAL)

The applicant ^{who} was appointed as Medical Doctor in the Central Health Service on 13.12.1959 ~~and was~~ retired on 31.10.1993 when he held the post of Senior Regional Director. He was then placed in the pay scale of Rs. 5900-200-6700 and was drawing a basic pay of Rs.6100/- PM together with Non-Practicing Allowance (NPA) of Rs.1000 PM. Based on the aforesaid basic pay and the NPA, his

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basic pension was fixed at Rs.3550/- PM being 50% of Rs. 7100/- by the letter issued by the Central Pension Accounting Office (CPAO) on 12.11.1993 (Annexure A-2). After the enforcement of the recommendations made by the 5th Central Pay Commission and on a representation made by the applicant, the office of the Sr. Regional Director (H&FW) issued a letter on 11.3.1999 (Annexure A-3) to the Pay and Accounts Officer stating therein that the applicant's pension was, in accordance with the recommendations of the 5th CPC, required to be fixed at Rs.11500/- and family pension at Rs.7255/- w.e.f. 1.1.1996. This resulted in CPAO's letter dated 29.4.1999 (Annexure A-4) by which the family pension has been revised to Rs.7255/- as directed in the aforesaid letter of 11.3.1999, but the pension due to the applicant has not been revised. He has made several representations seeking revision of his pension without any response from the respondent-authority. He last represented in the matter on 16.8.2000. A copy of the ^{✓ said representation ✓} ~~letter~~ supplied by the learned counsel for the applicant is taken on record. The applicant is aggrieved by non-revision of his pension. He ^{✓ is ✓} ~~has~~ further aggrieved by ^{✓ wrong ✓} ~~the~~ fixation of the revised family pension as per the aforesaid letter dated 29.4.1999. According to the learned counsel, the family pension was earlier fixed at Rs. 8783/- by ~~the~~ [✓] Accounts officer's letter dated 19.11.1999 (Annexure A-5) but the same has been reduced without assigning any reason to Rs.7255/-.

2. The learned proxy counsel appearing on behalf of the respondents submits that the matter concerning

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fixation of revised pension of Medical Doctors had² remained under consideration in the appropriate Division Benches of this Tribunal. The matter has since been decided by the Division Benches. Accordingly, the respondent-authority is now in a position to deal with the matter and dispose of the representations made on behalf of the applicant.

3. In view of the circumstances outlined in the preceding paragraphs, I find that the interest of justice will be duly met in this case by disposing of the present OA ^{at this stage} with a direction to the respondent-authority to dispose of the pending representations filed by the applicant expeditiously and in any event within a period of two months from the date of receipt of a copy of this order. While disposing of the applicant's representations, the respondent-authority will also deal with the revision made in the amount of family pension as above and pass orders thereon also.

4. The present OA is disposed of in the aforestated terms. No costs.



(S.A.T. Rizvi)
Member (A)

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