



## CENTRAL ADMINISTRATIVE TRIBUNAL

### CHANDIGARH BENCH

O.A.NO.060/01038/2020

Decided on: 04.01.2021

### **HON'BLE MS. AJANTA DAYALAN, MEMBER (A)**

Pyare Lal Sharma, aged 81 years S/o Late Sh. Gurudass, Retired as Telephone Inspector, O/o G.M. Telecom, Ludhiana, R/o House No. 45A, Street No.1, Roman Enclave, Rishi Nagar, Ludhiana-141001, Group C.

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Applicant

**(BY ADVOCATE: MR. R.K. SHARMA)**

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Personnel Public Grievances and Pensions, Department of Pension and Pensioners Welfare, Lok Nayak Bhawan, Khan Market, New Delhi-110003.
2. Secretary to the Government of India, Ministry of Communication and Information Technology, Government of India, Department of Telecom, Sanchar Bhawan, 20 Ashoka Road, New Delhi-110001.
3. Controller of Communication Accounts, Department of Telecommunication, Punjab Circle, Plot No.2C, Sector 27-A, Madhya Marg, Chandigarh-160030.
4. General Manager Telecom, BSNL, Bharat Nagar Chowk, Ludhiana-141001.

Respondents

**(BY ADVOCATE: MR. SANJAY GOYAL, FOR RESPONDENTS NO. 1 TO 3  
MR. K.K. THAKUR FOR R.NO.4)**



**O R D E R (ORAL)**  
**HON'BLE MS. AJANTA DAYALAN, MEMBER (A)**

1. Heard the learned counsel for the applicant.
2. Issue notice.
3. Mr. Sanjay Goyal, Senior Central Govt. Standing Counsel accepts notice for Respondents No.1 to 3 and Mr. K.K.Thakur, Senior Panel Counsel accepts notice for Respondent No.4.

4. The learned counsel for the applicant states that the grievance of the applicant is that the pension which he has been getting since his retirement in 1997 has been revised after 7<sup>th</sup> Pay Commission w.e.f. 1.1.2016 but in this re-fixation, anomaly has been created vis-a-vis his established junior Smt. Balwant Kaur. He also states that both the applicant and Smt. Balwant Kaur continued to draw same pension after their retirement in 1990s till 1.1.2016. It is only in 2016 that anomaly has been created.

5. The learned counsel for the applicant further states that the applicant made number of representations where after vide order dated 13.3.2020 (Annexure A-1) the request of the applicant for re-fixation of his pension has been declined and his that established junior Smt. Balwant Kaur is drawing higher pension than her has not been taken into account. To this extent, it is a non-speaking order.

6. The learned counsel for the applicant further states that he will be satisfied if representations dated 8.5.2018 (Annexure A-6), 16.10.2019 (Annexure A-7) and 16.6.2020 (Annexure A-



8) submitted by applicant for re-fixation of his pension vis-a-vis his established junior are considered and decided in a time bound manner.

7. Learned counsel for the respondents do not object to the limited prayer made by learned counsel for the applicant.

8. In view of the above, it is directed that competent authority amongst the respondents may consider and take a decision on the representations dated 8.5.2018 (Annexure A-6), 16.10.2019 (Annexure A-7) and 16.6.2020 (Annexure A-8) after examination of record regarding fixation of pension and also explaining if there is an anomaly vis-a-vis pension fixation of applicant and his established junior Smt. Balkar Kaur, by passing a reasoned and speaking order within a period of three months from the date of receipt of certified copy of this order. Order so passed be duly communicated to the applicant.

9. Needless to mention that disposal of the O.A. in the above manner may not be construed as an expression of any opinion or view on the merits of the case.

10. No order as to costs.

**(AJANTA DAYALAN)**  
**MEMBER (A)**

Place: Chandigarh  
Dated: 04.01.2021

HC\*