

**Through Video Conferencing****CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR****Original Application No.200/93/2021**

Jabalpur, this Monday, the 08<sup>th</sup> day of February, 2021

**HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER**

**HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER**



Jagannath Prasad Chaturvedi, S/o Late Shri Kulpatram Chaturvedi, S/o Late Shri Kulpatram Chaturvedi, DoB : 19.01.1940, Occupation – Retd. Goods Mail Guard, R/o Village & P.O Jhinna, Tehsil Amarpatan, P.S. Tala, District Satna (M.P.), Mob : 8349271759  
**-Applicant**

**(By Advocate – Shri S.K. Nandy)**

**V e r s u s**

1. Union of India through its General Manager of, West Central Railway, Indira Market, Jabalpur (M.P.) 482001.

2. Divisional Railway Manager, West Central Railway, Jabalpur (M.P.) 482001.

3. Sr. DPO, West Central Railway, Jabalpur Division, Jabalpur (M.P.) 482001.

**-Respondents**

**(By Advocate – Shri A.S. Raizada)**

**O R D E R**

**By Ramesh Singh Thakur, JM.**

Heard.

2. The applicant is aggrieved in not fixing his pension in pursuance to the pay revision as per 7<sup>th</sup> CPC.

3. The facts from pleadings are that the applicant was appointed on Group D post on 21.04.1961 and lastly promoted to the post of Mail Guard on 31.01.1998 before his superannuation. The post of Mail Guard is a running category post and the 55% of the basic pay is required to be added in lieu of running element to the last pay drawn. The applicant's last pay drawn was Rs.6900/- and by adding 55%, it comes to Rs.10,695/-. The applicant's pension was fixed at Rs.5116/- under 5<sup>th</sup> CPC. The applicant has cited the case of one of his colleague Ram Bihari who retired on 31.01.2001. The applicant submits that in 5<sup>th</sup> CPC, 6<sup>th</sup> CPC as well as in 7<sup>th</sup> CPC, the pay of Shri Ram Bihari was fixed higher than the applicant, who is similarly situated to that of applicant. The case of the applicant is that as per the DoP&T circular dated 06.07.2017 and Concordance Table No.22, the revised pension of the applicant is Rs.29,717/- and it cannot exceed the slab prescribed in the Table. Thus, there is a discrimination between the fixation of pay and revision of pension in 7<sup>th</sup> CPC amongst the similarly placed employees. The applicant preferred a representation dated 24.10.2020 (Annexure A-4), which has not been decided by the respondents till date.



4. At this stage, learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to consider and decide applicant's representation dated 24.10.2020 (Annexure A-4) in a time-bound manner.

5. Learned counsel for the respondents submits that he has no objection if this Original Application is disposed of in above terms.

6. We have considered the matter and we are of the view that ends of justice will be met if the competent authority of the respondent department is directed to decide applicant's representation dated 24.10.2020 (Annexure A-4) in a time frame particularly when the representation is pending with the competent authority. Accordingly, we direct the competent authority of the respondent department to consider and decide applicant's representation dated 24.10.2020 (Annexure A-4) within a period of six weeks from the date of receipt of a copy of this order. For this purpose, the applicant is directed to supply copy of this order along with the Original Application to the competent authority. Needless to say that the competent authority shall pass a reasoned and speaking order and all the contentions raised in the representation shall also be dealt with.



7. With these observations, this Original Application is disposed of at the admission stage itself. No costs.

**(Naini Jayaseelan)**  
**Administrative Member**

**(Ramesh Singh Thakur)**  
**Judicial Member**

am/-

