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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O. A. No/350/00656 of 2020

Shri Animesh Chandra Biswas

son of Late Felu Ram Biswas,

aged about 84 years, ex time

keeper II Loco Time Office,

Eastern Railway Workshops,

Kanchrapara, since retired and

residing at Kanchrapara Part,

Mouja - Kanchrapara J. L. No.

57, Bansberia North Side of

Feri Ghat, Kanchrapara, Kalyani,

Dist. Nadia, Pin - 741235.

... Applicant

-Versus-

1. Union of India service through

the General Manager, Eastern

Railway, Fairlie Place, Kolkata -

700001.

2. Chief Works Manager, Eastern  
Railway, Kanchrapara, Pin -  
741235.

3. Chief Personnel Officer, Eastern  
Railway, Fairlie Place, Kolkata -  
700001.

4. FA & CAO (Pension), Eastern  
Railway, Fairlie Place, Kolkata -  
700001.

5. The Sr. Branch Manager, State

Bank of India, Baghmone Branch  
P.O. - Halisahar, P.S. - Bixpur, Dist. -  
North 24 Parganas, pin no. 743135

... Respondents

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH**

O.A./350/656/2020

Date of Order: 25.09.2020



Coram: Hon'ble Mr. Tarun Shridhar, Administrative Member

Animesh Chandra Biswas ..... Applicant

- V E R S U S -

Union of India &amp; Ors. .... Respondents

For the Applicants : Mr. P.C.Das &amp; Mr. J.R.Das, Counsel

For the Respondents : Mr. A.K.Dasgupta, Counsel

**ORDER (Oral)**

**Tarun Shridhar, Administrative Member:**

Heard Ld. Counsel for the parties and examined the record of the case.

2. Ld. Counsel for the applicant has submitted that the pension of the applicant has to be revised upwardly in the light of the recommendations of the relevant Pay Commissions but the department has not calculated his pension correctly, as a result he is incurring financial loss.

3. However, Ld. Counsel for the respondents submits that the calculation has been done correctly as the instructions on which the applicant is relying are not applicable in his case since he had retired in the year 1994 and the enhanced financial benefits are available only to those employees who retired after 1996.

4. It is not for this Tribunal to go into the calculation of the pension and the amount of pensionary dues admissible to the applicant. However, it would be fair if the grievance of the applicant, as submitted to the department by way of a

detailed representation, is looked into by the department in a fair and objective manner and the said representation is disposed of in a time bound manner. Both the Ld. Counsel are in agreement with this proposition.



5. Accordingly, the department of the retired employee/applicant is directed to consider the representation submitted by the applicant on 16.12.2019 (Annexure-A/7) praying for revision of his pension as per rules and dispose of the same within a period of eight weeks from the date of receipt of the order, and communicate the order accordingly to the pensioner.

Needless to say that the department shall take into consideration the old age of the applicant/pensioner and, if his contention for upward revision of pension is found correct, it should be done forthwith along with the release of pension arrears.

6. The present O.A. stands disposed of with the above directions. No costs.

(Tarun Shridhar)  
Member (A)

RK