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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH

O.A. No 350/1604/2019

DETAILS OF THE APPLICATION

Particulars of the applicant.

Prasanta Kumar Ray Mukherjee, son of Late Nabagopal Ray Mukherjee,
residing at 26/2, P. G. M. Shah Road, Kolkata - 700 033.

...Applicant

-Versus-

Particulars of the respondents [thirteen in nos.]

1. Union of India, through the Principal Secretary, Department of
Ministry of Personnel, Public Grievances and Pensions, Ministry of Home,
having office at North Block, Cabinet Secretariat, Raisina Hill, New Delhi -

2. The Principal Secretary, Department of Ministry of Personnel, Public
Grievances and Pensions, Ministry of Home, having office at North Block,
Cabinet Secretariat, Raisina Hill, New Delhi - 110001.

3. The Principal Secretary, Ministry of Finance, North Block, Cabinet
Secretariat, Raisina Hill, New Delhi - 110001.

4. The Senior Accounts Officer [AIS Pension], Central Pension
Accounting Office, Ministry of Finance, Department of Expenditure, Trikot
Place, New Delhi - 110 066.

5. The State of West Bengal, through the Principal Secretary, Home and Hill Affairs Department, Nabanna, 325, Sarat Chatterjee Road, Howrah -

711 102.

6. The Principal Secretary, Home and Hill Affairs Department, Government of West Bengal, Nabanna, 325, Sarat Chatterjee Road, Howrah

711 102.

7. Officer on Special Duty & E.O. Joint Secretary, Home and Hill Affairs Department, Government of West Bengal, Police Service Cell, Block - III, 3rd Floor, Writers Buildings, Kolkata - 700 001.

8. Officer on Special Duty & Controller of Accounts, AIS Pension & Service Records & Ex-officio Joint Secretary to the Government of West Bengal, Department of Personnel & Administrative Reforms & e-Governance, AIS Pension Cell, Block - IV, 2nd Floor, Writers Buildings, Kolkata - 700 001.

9. The Principal Accountant General, West Bengal, Treasury Building, Kolkata - 700 001.

10. Pay and Accounts Officer, Kolkata Pay and Accounts Office - II, Treasury Building, P-I, Hyde Lane, Kolkata - 700 073.

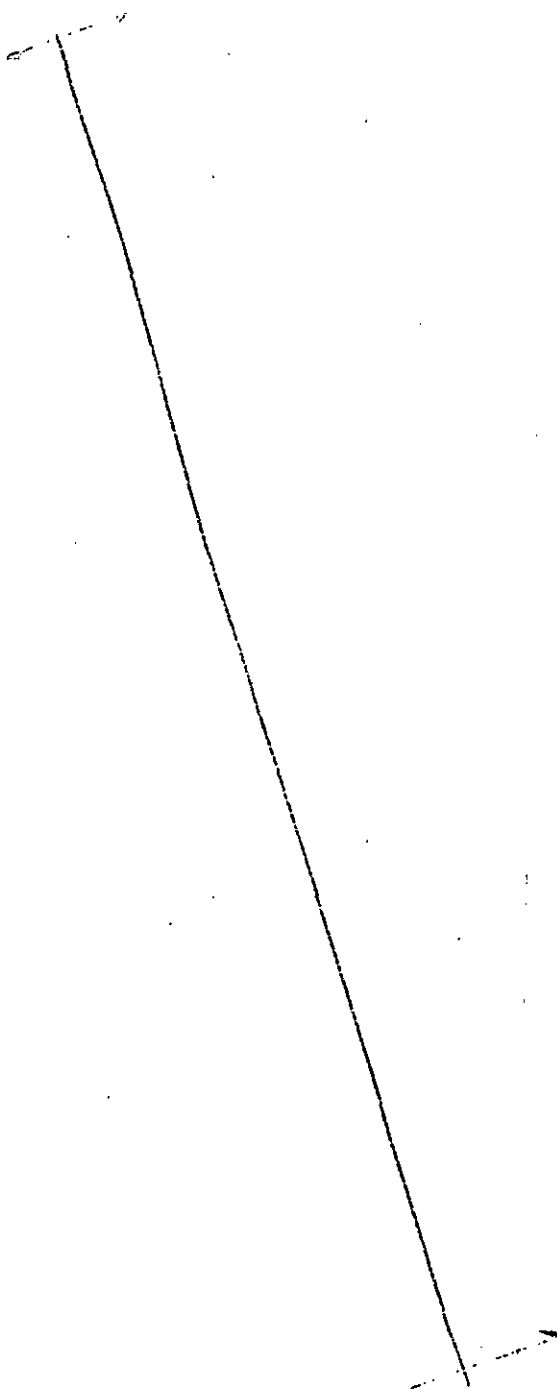
11. The Joint Director [Accounts], West Bengal Police Directorate, Shree Bhawan, South 24 Parganas - 700027.

12. Special Officer [IPS Cell], West Bengal Police Directorate, Nabanna, Sarat Chatterjee Road, Howrah - 711 102.

3. The Director General & Inspector General of Police, West Bengal, West
Bengal Police Directorate, Nabanna, 325, Sarat Chatterjee Road, Howrah -

102

... Respondents



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/1604/2019
MA 240/2020

Date of Order: 03.07.2020



**Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member**

Prasanta Kr. Ray Mukherjee.....Applicant

Vrs.

Union of India & Ors.Respondents

For The Applicant(s): Mr. A.R.Mukherjee, Counsel

For The Respondent(s): Mr. S.Paul, Counsel for R-1

Mr. S.N.Ray, Counsel for R-2 and 3

ORDER (ORAL)

Bidisha Banerjee, Member (J):

1. Heard Ld. Counsels for both the parties.
2. The applicant in this O.A. has sought for the following reliefs:

"8.I) Pass an order / direction commanding the respondents and each one of them to release the final / regular pension along with arrear pension with effect from December, 2018 and interest thereon for delayed payment thereof for the period from December, 2018 till the actual disbursement and to act in accordance with law by acting in the manner as stated hereinabove;

II) Pass an order / direction commanding the respondents and each one of them to forthwith and/ or immediately certify and/ or transmit to this Hon'ble Tribunal the entire records and/ or proceedings forming subject matter of the instant case so that conscionable justice may therein be administered by setting aside and/ or quashing the impugned decision not to release the final/ regular pension along with arrear pension with effect from December, 2018 and interest thereon for delayed payment thereof for the period from December, 2018 till the actual disbursement;

III) Such further or other order or orders as Your Lordships may deem fit and proper."

3. Today, Ld. Counsel for the respondents produced a letter dated 29.06.2020, which is ^{re- B}produced hereunder:



MEMORANDUM

No. 23/PAH-AIS(Pen)/IPS/12/2017

Dated Kolkata, the 29th June, 2020

Sub: Authority for payment of arrears of pension in favour of Shri Prasanta Kumar Ray Mukherjee, IPS (WB:SPS;1975) (Retd.), PPO No. 043561800085.

Shri Prasanta Kumar Ray Mukherjee, IPS (WB:SPS;1975) (Retd.), retired on superannuation w.e.f. 30.04.1998 (at the age of 58 years). Shri Ray Mukherjee was sanctioned provisional pension w.e.f. 01.05.1998 upto 30.11.2018. His superannuation Pension has been revised @ Rs. 65,550/- p.m. payable to him w.e.f. 01.01.2016 to 05.09.2018 (on the basis of his revised Basic pay @ Rs. 1,21,100/- plus 13% as per 7th CPC) and thereafter as Reduced Pension @ Rs. 67,090/- p.m. w.e.f. 05.09.2018 (date of payment of C/P) upto 31.12.2019.

2. Due to late sanctioning of pensionary benefits in favour of Shri Ray Mukherjee, PPO No. 043561800085 was issued with the authority for payment of future monthly pension w.e.f. 01.01.2020 and the arrears of pension due to the pensioner on account of such delayed finalisation would be paid by the concerned administrative department as per provisions of Para 7.5.5 of Civil Accounts Manual.
3. Authority is hereby directed to the Joint Director of Accounts, West Bengal Police Directorate (J.D.O.) to draw by present cheque from the Pay & Accounts Office, Kolkata for payment of arrears of pension @ Rs. 62,000/- p.m. with admissible dearness relief for the period from 01.12.2018 to 31.12.2019 as per provisions of All India Service (death-cum-Retirement Benefit) Rule, 1958 read with para 7.5.5 of Civil Accounts Manual of Ministry of Finance, Department of Expenditure, Controller General of Accounts.
4. The charge involved will proceed against the Head of Account, "2658-Suspense account-00-101-Pay & Accounts Office-suspense-175-Transaction Adjustable by CPAO (AIS Officer's Pen) New Delhi-21-Payment/Adjustment".

Sd/-
Controller of Accounts, AIS – Pension and Service Records
& Ex-Officio Joint Secretary to the Government of West Bengal

Ld. Counsel for the respondents assures that the payment shall reach the applicant in course of this date.

4. In view of the above, nothing survives for adjudication in this case.

Accordingly, the O.A. is disposed of without any further orders. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Baherjee)
Member (J)

RK