

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No.173/2021

Date of Decision: 25th February, 2021

CORAM: RAVINDER KAUR, MEMBER (J)

Prabhakar S/o Narhar Aklujkar
Age : 74 years,
Occu : Superintendent Central Excise (Retired)
R/o. Block No.30, Mukteshwar Housing Society,
Near Dyaneshwar Nagar, Twin City,
Solapur - 413 004. *Applicant*

(By Advocate Shri S.B. Deshmukh)

VERSUS

1. Union of India,
Represented by the Secretary Ad IIA,
Government of India, Ministry of Finance,
Department of Revenue,
New Delhi - 110 001.

2. The Pay & Accounts Officer,
Ministry of Finance,
Department of Expenditure,
Central Pension Accounting Office,
Trikoot-II, Bhikaji Cama Place,
New Delhi - 110 066.

3. The Chief Commissioner of Central Excise (GST),
Pune Zone,
41-A Sassoon Road,
Opposite Wadia College,
Pune - 411 001.

4. The Assistant Commissioner of GST,
Solapur Division,
Plot No.3, Opposite Kinara Hotel,
Hotagi Road, Solapur - 413 003.

5. The Pay and Accounts Officer,
41-A Sassoon Road,
Opposite Wadia College,
Pune - 411 001. *Respondents*

Proceeding conducted through videoconferencing with
consent of counsel for the applicant

ORDER (ORAL)

Present:

Advocate Shri S.B. Deshmukh for the applicant.

2. Heard Shri Deshmukh.

3. The applicant retired on superannuation on 31.07.2004 as Superintendent and his pension was fixed in the pay scale of Rs.6500-10500 at Rs.7065/- w.e.f. 01.08.2004 vide PPO No.524250400071. The pension of the applicant was revised by the respondents vide Office Memorandums dated 01.09.2008, 24.09.2012, 28.01.2013 and 31.07.2015 respectively. It is stated that the revised pension was wrongly fixed w.e.f. 24.09.2012 instead of 01.01.2006 detrimental to the interest of the applicant vide revised PPO dated 10.05.2012 and 12.09.2017.

4. The applicant made several representations to the respondents to revise his pension w.e.f. 01.01.2006 but he did not receive any response from the respondents. He further states that due to wrong fixation of his pension, the respondents have recovered a sum of Rs.3,23,639/- from the applicant towards the alleged excess amount paid to him. After the recovery, the applicant made representations dated 27.01.2020,

25.02.2020, 11.03.2020 and 14.08.2020 to refund the amount recovered. However, the respondents did not reply to any of these representations.

5. In the facts and circumstances of the case, I am of the considered opinion that it would meet the ends of justice, if the respondents are directed to consider and dispose of these representations referred above as per law/rules and regulations vide reasoned and speaking order within a period of six weeks from the date of receipt of certified copy of this order and to communicate the order to the applicant within one week thereafter. Ordered accordingly.

6. With these directions, the Original Application stands disposed of at the admission stage itself. No order as to costs.

(Ravinder Kaur)
Member (J)

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SD
03/03/21

