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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.520 OF 2004

New Delhi, this the 27th day of February, 2004

HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

Smt. S.G. Bellani
R/o 1-C, DDA Flat,
Ph-I, Masjid Moth,
New Delhi-48.Applicant
(By Advocate : Shri S.K. Ray)

Versus

1. Union of India
through The Secretary,
Department of Revenue,
M/o Finance, North Block,
New Delhi-110001.
2. The Chairman,
Central Board of Direct Taxes,
North Block, New Delhi-110001.
3. The Chief Commissioner of Income Tax-I,
C.R. Building, I.P. Estate, New Delhi-110002.
.....Respondents

ORDER (ORAL)

Heard Shri S.K. Ray, learned counsel of the applicant.

2. The only relief claimed in this Original Application is regarding grant of provisional pension after taking into account the provisions contained in Rule 69 (1) (a) of CCS (Pension) Rules, 1972 on the basis of recommendations of Vth Central Pay Commission. The learned counsel of the applicant states that the provisional pension of Rs.1085/- has been wrongly fixed. According to him, this should have been fixed on the basis of the salary last drawn by the applicant at the time of her retirement as per the provisions contained on the subject after taking into account the recommendations of Vth Central Pay Commission.



3. It is fairly stated by the learned counsel that the applicant has not approached the department after receipt of the impugned letter dated 14.3.2002 (Annexure A-1) for redressal of her grievances.

4. In the opinion of this Tribunal, this Original Application can be disposed of at the administration stage itself by issuing direction to the applicant to file a self contained representation to respondent No.3. Such a direction will cause no prejudice to the respondents. On the other hand, it will be in conformity with the provisions contained in Section 20 of the Administrative Tribunals Act, 1985. Accordingly, applicant is directed to file a representation in respect of her grievances relating to impugned letter dated 14.3.2002 to respondent no.3 alongwith a copy of this order and a copy of the Original Application to respondent No.3 with a copy to the office from where the applicant was under suspension before attaining superannuation on 31.8.2001 within a month. In case, the applicant complied with the aforesaid direction, respondent No.3 is directed to take a decision on the representation of the applicant within two months from the date of its receipt by passing a speaking and reasoned order under intimation to the applicant.

5. In view of the directions in the preceding paragraph, this Original Application is disposed of without any order as to costs.


(R.K. UPADHYAYA)
ADMINISTRATIVE MEMBER

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