

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No. 1650 of 2004.

Allahabad this the 31st day of January 2005.

Hon'ble Mr. A.K. Bhatnagar, Member-J.

Abdul Hamid (Retired) M.C.M. (Master Crafts Man)
No.13, son of late Sri Noor Mohammad, resident of
Village New Islampur, Post Office Mughal Sarai,
District Chandauli.

.....Applicant.

(By Advocate : Sri Hari Om Khare)

Versus.

1. Union of India through the General Manager,
East Central Railway, Hazipur,
Bihar.
2. Chief Works Manager (Workshop),
East Central Railway, Mughal Sarai,
District Chandauli.
3. Chief Personnel Officer
East Central Railway,
Hazipur.

.....Respondents.

(By Advocate : Sri K.P. Singh)

O_R_D_E_R

By this O.A., filed under section 19 of Administrative Tribunals Act 1985, the applicant has prayed for a direction to the respondents to pay the monthly pension to the applicant equivalent to the juniors month by month with a further direction to the respondents to pay the arrears of the pension to the applicant from due dates since the juniors are getting family pension.

2. During the course of argument, learned counsel for the applicant submitted that the applicant has sent a representation dated 10.08.2004 to the respondent No.2 which is still lying undecided and applicant will be satisfied if his representation is decided by the Competent Authority.

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Respondent No.2 by a reasoned and speaking order within a specified period.

3. Sri K.P. Singh learned counsel for the respondents, on the other hand, submitted that the applicant has not filed any proof to this effect that the said representation has been received by the respondents.

Moreover he has not given the specific designation and place of the three juniors given in the representation.

4. After hearing counsel for the parties, I find it is a fit case which can be disposed of without calling for counter by issuing a direction to the respondent No.2.

5. Without going into the merits of the case, the O.A. is disposed of by a direction to the respondent No.2 i.e. Chief Works Manager (Workshop), East Central Railway, Mughal Sarai, District Chandauli to consider and decide the representation of the applicant within a period of three months from the date of receipt of a copy of the order. For convenience of the Department and for ~~only~~ ^{Yearly} decision of the matter, the applicant may file a copy of the representation mentioned ⁱⁿ the designation of the juniors who are getting more pension than the applicant alongwith copy of the order.

No costs.


Member-J.

Manish/-