CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Original Application No: 1760 of 1993

Preetam Singh ... ... ... Applica-nts.

Versus

U.O.I. & Ors. ... ... ... Respondents.

Hon'ble Mr. T.L.Verma, Member-J

This application has been filed under
Section 19 of the Administrative Tribunal Act
for a direction to withdraw arbitrary and unlawful
deduction/ from the pension and pay the full amount
made
of the/regularly and refund the deductions made of
same
Rs. 2600/- and Rs. 1489/- respectively.

2.      The case of the applicant shortly stated
is that the applicant was receiving pension regularly
since the date of his retirement on 30.9.1977. It
was for the first time in July, 1993, a sum of
Rs. 1341/- and thereafter, a sum of Rs. 2,600/-
was deducted alleging that excess payment had been
made to that extent.

3.      The learned counsel for the applicant states
that according to Rule 70 of the CCS Pension Rules,
pension once authorised after final assessment, shall
not be revised to the disadvantages of the Government
servants unless such revision becomes necessary on
account of deduction of clerical error subsequently
and that no such revision shall be made without

conquerance of the department of Personnel and
Administrative reforms if the clerical error
detected after a period of two years from the
date of authorisation of pension.  It was stated
that this deduction has been made/more than 16 years
after the authorisation of the pension without
giving any notice to the applicant.

4.      It was stated that representation has been
made to the appropriate authority/for restoring
his pension as also for the refund of the deductions
made, but no decision has yet been taken on the
representation filed by the applicant.

5.      In the facts and the circumstances of the
case, I am of the/that a direction be given to the
respondents to consider the representation of the
applicant and   reasoned and speaking order
within 3 months from the date of presentation of
the copy of this order.

6.      This application is therefore disposed of
with the above direction at the admission stage.
In the circumstances, there will be no order as
to cost.

Member-J

Allahabad Dated: 8.2.1994
/jw/