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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 30TH DAY OF JULY, 2001

Original Application No.859 of 1993

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Kamta Singh Yadav, Ex.Telephone
Supervisor, Son of Shri Ganga Ram Singh
Yadav, Resident of House No.101 Avas
Vikas Colony, Jail Road, Aligarh.

.... Applicant

(By Adv: Shri P.K.Yadav)

Versus

1. Union of India, through its Secretary
Telecommunication, New Delhi.
2. Chief General Manager,Telecommunication
U.P.Circle, Lucknow
3. Chief Accounts Officer, Telecom
U.P.Circle Lucknow.
4. Divisional Manager, Telecom, Bareilly.
5. Telecom. District Engineer,
Aligarh.

....Respondents

(By Adv: Shri Amit Sthalekar)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA the applicant has prayed for a direction to the respondents to calculate the pension of the applicant on the basis of the pay at Rs1950/- which was drawn by him in the last ten months.

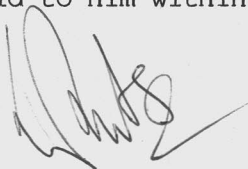
The facts are that the applicant was serving in Tele Communication department initially as Mail Guard. subsequently in 1958 he was sent to Posts&Telegraph training Centre Sahranpur for

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training and applicant was posted as Telephone Operator at Mathura w.e.f. 1.2.1958. Applicant claims that after completing 30 years of continuous service he retired on 30.11.1991. However, his retiral benefits were paid treating the last pay drawn at Rs.1850/- . The learned counsel for the applicant has placed before us the document(Annexure B-4) which states that consequent upon the promotion to the cadre BCR/O.T.B.P. to the scale of 1600-2660 vide C.G.M.T U.P.Circle Lucknow letter dated 9.11.1990, The pay of the applicant was fixed at Rs.1950/-. This document has been signed by the Accounts officer TDE, Aligarh. Another document on record is (Annexure A1) which has also been signed by the same Accounts Officer which states that the pay of the applicant was at Rs.1850/- . It appears that the promotion of the applicant under BCR/OTBP was not taken into consideration and it resulted in wrong calculation of his pension.

Considering the facts and circumstances of the case we dispose of this OA finally with the liberty to the applicant to file a representation within a month from today, annexing therewith the two documents mentioned above. The representation of the applicant shall be considered and decided by a reasoned order within two months thereafter. If the applicant's claim is found justified, he will be entitled for refixation of the pension and payment of the consequential benefits within three months thereafter and if any amount has been recovered from the applicant the same shall be paid to him within the same time. No order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: 30.7.2001

Uv/