

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

HON'BLE MR.A.H. GAUR, MEMBER (J).

Original Application Number. 980 OF 2006.

ALLAHABAD this the 07th day of **January, 2009.**

R.B. Pandey, son of Sri K.D. Pandey, resident of village and post-
Badrauli Pandey, District- Deoria.

.....Applicant.

VE R S U S

1. Union of India through its General Manager, North East Railway, Gorakhpur.
2. Divisional Railway Manager (Commercial), North East Railway, Varanasi.
3. F.A & C.A. O (Pension), North East Railway, Gorakhpur.

.....Respondents

Advocate for the applicant: Sri Bashishtha Tiwari

Advocate for the Respondents : Sri D.P. Singh

O R D E R

Learned counsel for the applicant at the very out set invited my attention to Office Order No. 160/05 (Annexure A-5 of O.A) and submitted that last pay drawn by the applicant is Rs. 6050/- . Learned counsel for the applicant would further contend that his pension has wrongly been fixed and he is being paid Rs. 1470/- only. Learned counsel for the applicant further invited my attention to Annexure- 6 of O.A and submitted that respondents are still paying lesser pension. Learned counsel for the applicant further submitted that for redressal of his grievance, the applicant has already preferred representation dated 24.01.2006 (Annexure A-7 of O.A) before the Divisional Railway Manager N.E. Railway (respondent No. 2) and stated that the grievance of the applicant might be redressed if a direction is given to the competent authority i.e. the Divisional Railway Manager , N.E. Railway (respondent

No. 2) to consider and decide the pending representation (referred to above) within specified period.

2. Learned counsel for the respondents has no objection, if such direction is given.

3. Having heard both counsel for the parties, undisputedly the last pay drawn by the applicant is Rs. 6050/- and it is not understandable as to why the respondents are not paying pension to the applicant in accordance with the provisions and rules on the basis of last pay drawn by him. Accordingly I hereby direct the competent authority i.e. the Divisional Railway Manager , N.E. Railway (respondent No. 2) to consider and decide the pending representation dated 24.01.2006 (Annexure A-7 of O.A) by a reasoned and speaking order taking into account the points raised therein and also in accordance with relevant rules and provisions , within a period of three months from the date of receipt of certified copy of this order. While deciding the said representation, the competent authority shall treat this O.A as part of representation and consider each and every point raised therein.

4. With the aforesaid directions, the O.A is disposed of finally with no order as to costs.

Be noted that I have not passed any order on merits of the case.

Anand
MEMBER- J.

/Anand/