

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH
CUTTACK

O.A. 968/2002

Date of order: 27.05.2004

Present : Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman.
Hon'ble Mr. H.P. Das, Administrative Member.

Diriba Ranasingh.

-versus-

Union of India and Ors.

For the applicants : None.

For the respondents : Mr. O.N. Ghosh, counsel.

O R D E R

Per Justice B. Panigrahi, VC

None has appeared on behalf of the applicant on call. The ld. counsel appearing for the respondents is, however, present. After hearing him and on going through the records, we are of the opinion that the matter can be disposed of even in the absence of the applicant. Accordingly we proceed to do so.

2. In this case the applicant has sought a direction against the respondents for fixation of pay, regularisation of service and payment of pension and gratuity amount by taking into consideration the recommendation of the 5th Central Pay Commission. Although the applicant retired prior to implementation of 5th Central Pay Commission's report, but his pension was fixed at the lesser rate i.e. Rs. 514/-. After implementation of the 5th Pay Commission's report the applicant's pension was enhanced from Rs.514/- to Rs.1583/-. Therefore, there has been no further necessity to issue such direction to the respondents for enhancing the pension after

5th Central Pay Commission's Report was implemented. However, if the respondents have not paid the differential amount on account of enhanced amount of pension from Rs.514/- to Rs.1583/- to the applicant, they are directed to release the differential amount within a reasonable time i.e. four months from the date of communication of this order. It is also needless to mention that in case the gratuity and other amount are still found outstanding, the respondents shall also release the same to the applicant, within the aforesaid period.

3. With the above observation/direction the application is disposed of. No costs.

H.B. D.

Member(A)

B. S. M.

Vice-Chairman.