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O.A. No. 266 of 2009

Order dated: 16.03.2010

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (A)

Heard Mr. N.R.Routray, Ld. Counsel for the applicant and Mr. T.Rath, Ld. Counsel appearing for the Respondent-Railways.

2. This O.A. has been filed by the applicant seeking following reliefs:

“To direct the Respondents to revise the scale and pay of the deceased husband of the Applicant from Rs. 4,500-7,000 to 5,200-20,200 and release all the financial benefit of her deceased husband, i.e., differential arrear salary from the period from 01.01.2006 to 31.07.2008, pension/family pension, DCRG & Commuted value of pension and pay 12% interest on the entire amount from the date of entitlement to the date of actual payment.”

3. Respondents, at paragraph 12 of the Counter have stated that the claim of the applicant to pay the differential arrears salary of her deceased husband from 1.1.2006 to 31.7.2008 by revising his pay in scale of Rs. 4,500-7,200/- to 5,200-20,200/- can be considered only after

disposal of the Writ Petition, which is pending before the Hon'ble High Court.

4. During the course of hearing, it is clarified by the Ld. Counsel for the Respondents by filing M.A. No. 130/10 in the present O.A. that in terms of the order passed by this Tribunal on 16.02.2010, the provisional Pension Payment Order has already been issued after taking into account the revised scale of pay in terms of the 6th C.P.C. vide their letter No. ECOR/KUR/PEN/2010/020134 dated 11.03.2010. However, it is seen from page 4 of the document filed with the M.A. that against DCRG there is a noting (not to be paid) and the amount involved is Rs. 2,53,414/-.

5. Ld. Counsel for the Respondents submits that the mistake (not to be paid) ^{which} appeared in this document is going to be rectified and the payment will be released by 31.3.2010.

6. In view of the above, nothing remains to be adjudicated in this case. As regards the issue relating to payment of interest, the same shall be examined by the Respondents as per the relevant rules and, thereafter, shall

pass an order on this aspect within 60 days from the date of receipt of a copy of this order.

7. With the above observation and direction, this O.A. is disposed of. No costs.

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MEMBER (A)

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