

3
O.A.No.225/10

Duti Nath.....Applicant.

Vs.

Union of India & Ors. Respondents.

ORDER DATED 4th MAY, 2010

Coram:

Hon'ble Mr. C.R. Mohapatra, Member (A)
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Heard Mr. N.R. Routray, Ld. Counsel for the applicant and Mr. S.K. Ojha, Ld. Standing Counsel appearing on notice for the Respondents (Railways) and also perused the materials placed on record.

2. The limited prayer of the applicant in this Original Application is to direct the Respondents to revise the pension/family pension of the applicant w.e.f. 01.01.06 by fixing at Rs.3500/- + D.A. + medical allowance and payment of differential arrear pension. Ld. Counsel for the applicant submits that meanwhile consequent to the recommendation of the Sixth Central Pay Commission the pension amount has been revised w.e.f. 01.01.06 and the applicant has been getting revised family pension since May, 2009 but she has not got the revised arrear pension from 01.01.06 to 02.02.07 and the revised family pension from 03.02.07 to April, 2009.

3. Mr. Ojha, Ld. Standing Counsel for the Respondents (Railways) submits that since payment of arrears has not been denied to the applicant there was no reason for her to have approached this Tribunal. As a matter of fact the

1

applicant has never raised this issue of non-payment of arrears of pension/family pension with the concerned authorities.

4. Mr. Routray, Ld. Counsel for the applicant prayed that he may be allowed 15 days time to make a representation to the concerned authorities i.e., Respondent Nos.1 & 3 who should be directed by this Tribunal to finalise her claim and release the arrear within a specified time frame.

5. As agreed to by the Ld. Counsel for both the parties, without going into the merit of this case it is considered that the O.A. can be disposed of at the admission stage itself by giving a direction to Respondent Nos.1 & 3 to finalise the claim of the applicant by releasing her arrears on account of revision of pension of the deceased employee as well as the arrears on account of revised family pension for the period 01.01.06 to April, 2009 within a period of 60 (Sixty) days of the receipt of the copy of the representation as cited above under intimation to the applicant. Ordered accordingly.

6. With the above observations and directions this O.A. is disposed of at the admission stage itself.

7. Copy of this order along with copy of this O.A. be sent to Respondent No.2 ^{and Respondent No. 3} for compliance.