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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/0037 of 2016

Cuttack this the 22nd day of February, 2016

CORAM

HON'BLE SHRI A.K.PATNAIK, MEMBER(J)

HON'BLE SHRI R.C.MISRA, MEMBER(A)

Narendra Sethy,
Aged about 74 years
S/o. late Banchhanidhi Sethy
At-Bahadul Nagar
PO-Taragaa
PS-Bant
Dist-Bhadraak

...Applicant

By the Advocate(s)-M/s.A.K.Sahoo
N.K.Dash
G.N.Sethy
B.B.Biswal

-VERSUS-

Union of India represented through:

1. The General Manager
East Coast Railways
Ground Floor
Rail Vihar
Chandrasekharpur
Bhubaneswar
Dist-Khurda

2. The financial Adviser & Chief Accounts Officer(Pension)
East Coast Railways
Rail Vihar
Chandrasekharpur
Bhubaneswar
Dist-Khurda

3. The Sr. Divisional Finance Manager
East Coast Railway
Khurda Road
PO-Jatni
Dist-Khurda

4. The Manager(Link Branch)
Director of Accounts(Postal)
Odisha Circle
Mahanadi Vihar
Cuttack

W.Ale

5. The Postmaster
Manjuri Road
At/PO-Manjuri Road
Dist-Bhadrak

ORDER

A.K.PATNIK, MEMBER(J)

Applicant is a retired railway employee, who is about 74 years old. He has approached this Tribunal seeking the following relief.

"The order/letter dated 1.10.2012 under Annexure-A/2 passed by Respondent No.2 in respect of the applicant be given effect to and the Respondent No.2 be directed to cause disbursement of revised pensionary benefits of the applicant in S/B.Ac.No.314017 in terms of Railway Boards Circular No.F(E)III/2008/PNI/12 DATED 8.9.2008.

And direction is passed to respondent no.2 to cause disbursement of the arrear pensionary benefits in favour of the applicant with effect from 1.1.2006 along with interest thereto".

2. Heard Mr.A.K.Sahoo, learned counsel for the applicant, Mr.T.Rath, learned Standing Counsel for the Railways and Mr.S.K.Singh, learned ACGSC for res.nos. 4 and 5 and perused the records. It reveals from the record that vide A/2 dated 1.10.2012, Office of FA&CAO(Pension), East Coast Railways, Bhubaneswar, has revised pension of the applicant with effect from 01.01.2006 and accordingly, advice has been tendered by the former to the Manager(Link Branch) and Director of Accounts(Postal), Odisha Circle, Mahanadi Vihar, Cuttack (res.nos. 4 and 5) for necessary action at their ends. However, the fact remains that so far Annexure-A/2 has not yet been implemented thus, depriving the applicant to receive the revised pension and arrears dues with effect from 1.1.2006.

3. Ventilating his grievance, applicant has submitted a representation dated 15.7.20015(A/3) to the Financial adviser and Chief Accounts Officer(Pension), East Coast Railways, who is respondent no.2 in the instant

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O.A. with a request to issue necessary instruction to the Bank authorities for disbursement of revised pension with effect from 1.1.2006 along with arrears dues. It is the case of the applicant that so far he has received no response in this regard. Hence, this Original Application.

4. Prima facie, we are of the view that this is a matter of concern where despite advice having been tendered by res.no.2 to disburse revised pension with effect from 1.1.2006 in favour of the applicant, who is aged about 74 years, the same is not being implemented without any rhyme or reason. Keeping in view the urgency of the matter, we at this stage, would direct res.no.2 to consider and dispose of the representation dated 15.7.2016(A/3) and pass a reasoned and speaking order within a period of thirty days from to-day, under intimation to the applicant. We would also at the same time, direct res.nos. 4 and 5 to ensure disbursement of revised pension with effect from 1.1.2006 with arrears dues in favour of the applicant in conformity with A/2 dated 1.10.2012 issued by res.no.2 as early as possible.

5. With the above observation and direction, this O.A. is disposed of at the stage of admission. No costs.

6. On the prayer made by the learned counsel, copy of this order along with paper book be sent to res.nos. 2, 4 and 5 at the cost of the applicant for which Mr.A.K.Sahoo undertakes to file the postal requisites by 23.2.2016.

7. Free copy of this order be made over to learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)

BKS


(A.K.PATNAIK)
MEMBER(J)