

3

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 741 OF 2013

Cuttack, this the 11th day of November, 2013

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

.....

Gobardhana Bhuiyan,
aged about 67 years,
Son of Late Naba Bhuiyan,
retired Head Trackman/ East Coast Railway,
Engineering (O/L)/ Bhadrak,
Permanent resident of Vill/P.O.- Jakhapura,
P.S.- Kalinganagar, Dist.-Jaipur, Odisha.

.....Applicant

Advocate(s).....M/s. N.R. Routray, Smt. J. Pradhan

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway,
E.Co.R Sadan, Chandrasekharapur,
Bhubaneswar, Dist-Khurda.
2. Senior Divisional Personnel Officer,
East Coast Railway,
Khurda Road Division,
At/P.O.- Jatni, Dist-Khurda.
3. Sr. D.E.N./CO-ordn.
East Coast Railway,
Khurda Road Division,
At/P.O.- Jatni, Dist-Khurda.
4. Sr. Divisional Financial Manager,
East Coast Railway,
Khurda Road Division,
At/P.O.- Jatni, Dist-Khurda.

..... Respondents

Advocate(s).....

Alles

ORDER (ORAL)

HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

A resolution has been made and communicated by the C.A.T. Bar Association to the extent as under:

“In continuation to our earlier resolution dt. 27.09.2013, 01.10.2013, 03.10.2013, 07.10.2013, 10.10.2013, 22.10.2013, 25.10.2013 and 31.10.2013, the General body meeting of C.A.T. Bar Association unanimously resolved to abstain from Court work till 11.11.2013”.

2. In view of the above, Learned Counsel for either of the parties is absent.

3. However, perused the records and find that in this O.A. the Applicant (Gobardhan Bhuiyan) while working as Head Trackman, E.Co. Rly., Engineering (O/L), Bhadrak retired on attaining the age of superannuation w.e.f. 31.05.2007.

4. By making a representation on 07.02.2013 to the Sr. Divisional Personnel Officer, East Coast Railway, Khurda Road, Jatni, Dist- Khurda (Respondent No.2), he has brought to his notice that the Railway Board issued RBE No.222/2009 in which it was decided that linkage of full pension with 33 years of service shall be dispensed with w.e.f. 01.01.2006 instead of w.e.f. 02.09.2008 as earlier fixed. After his retirement he was sanctioned the pension on the basis of his qualifying period of service of 14 years 04 months and 24 days vide PPO No.12020031807 dated 07.06.07. Further, he has brought to the notice of Respondent No.2 that the Railway Board issued RBE No.160/2008 regarding placement and fixation of pay of 'Group-D' Railway Employee's in Grade Pay of Rs.1800/- in PB-1 (Rs.5200-20200/-) on replacement of PB - IS of Rs.4440-7440/- with GP-



Rs.1300, 1400, 1600 & 1650 w.e.f. 01.01.2006. Accordingly, in his representation dated 07.02.2013 he has prayed Respondent No.2 to take steps to revise his pay in PB-1 of Rs.5200-20200/- with GP-Rs.1800/- and grant him higher proportionate pension as per RBE No.222/2009 and pay him differential financial benefits on arrear salary, leave salary, DCRG, commuted value of pension and pension at an early date.

5. As it appears from record no decision has been taken/communicated to the applicant on the said representation. This being a matter of payment of revision of pay and pension etc of a retired Railway employee the Respondent No.2 should have taken utmost care to dispose of the representation at an early date. Since the Representation of the applicant is still pending, without expressing in the merit of the matter, this O.A. is disposed of with direction to Respondent No.2 to consider and dispose of the representation at the first instance and communicate the result in a well reasoned order to the Applicant within a period of 60 (sixty) days. There shall be no order as to costs.

6. The Applicant is at liberty to produce the copy of the order before Respondent No.2 who on receipt of this order shall do well to comply the order.


(A.K. PATNAIK)
MEMBER (J)