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CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, PATNA

OA No.392 of 2006

Date of order : 12th July, 2006

C O R A M

Hon'ble Mr. Justice P.K.Sinha, Vice-Chairman

Laxmi Narain Singh

.....

Applicant

Vrs.

Union of India & Ors.

.....

Respondents.

Counsel for the applicant : Shri S.K.Singh

Counsel for the respondents : Shri M.N.Parbat, ASC

O R D E R [ORAL]

Justice P.K.Sinha, VC : -

Heard the ld. counsels for both sides. This application is for directing the respondents to re-calculate the amount of pension of the applicant, claiming that the same was wrongly calculated and less pension is being paid to him, on the grounds mentioned in the application. The grievance is

B.K.G.

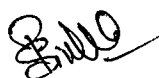
2.

that the total period of qualifying service has not been correctly evaluated.

2. The applicant is superannuated from service w.e.f. 31.1.2006. It is also submitted that for correct evaluation of the period of service and correctly calculating the amount of pension, this applicant had submitted a representation dated 22.3.2006 [Annexure-A/5] to the DRM[P], E.C. Railway, Sonpur which has remained unresponded to.

3. The ld. ASC for the respondents submits that this representation is dated 22.3.2006 and the applicant could have come before the Tribunal in view of provisions under Section 21 of the A.T. Act only after six months of the representation if any order on that was not passed. In any case, I agree that if a representation has been filed, the concerned authority should be given an opportunity to consider that, and to record a reasoned order thereupon.

4. In that view of the matter, the Senior Divisional Railway Manager [Personnel] [Respondent No.5] is directed to consider the representation filed at Annexure-A/5 and also to consider the facts mentioned in the application, and record a reasoned order within a period of three months of the receipt of a copy of this order along with a copy of this application with annexures. The applicant is hereby directed to provide a copy of this order



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along with a copy of the application, with annexures, to the Respondent No.5 within 15 days of the receipt of certified copy of this order.

5. With the aforesaid directions, this O.A. stands disposed of.



[P.K.Sinha]
Vice-Chairman

mps.