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CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, PATNA

OA No.760 of 2005

Date of order : 17th February, 2006

C O R A M

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

| | | |
|-----------------------|-------|--------------|
| Chattoo Mahto | | Applicant |
| Vrs. | | |
| Union of India & Ors. | | Respondents. |

Counsel for the applicant : Shri Sanjiv Kumar

Counsel for the respondents : Shri M.K.Mishra, 1d. Sr. SC [Postal]
Shri A.A.Khan, 1d SC for the Railways.

O R D E R [ORAL]

Justice P.K.Sinha, Vice-Chairman :-

At the stage of admission itself, the respondents have filed their written statement. Heard Shri Sanjiv Kumar, learned counsel for the applicant, Shri A.A.Khan, 1d. SC for the Railways and Shri M.K. Mishra, 1d. Sr. S.C. for the Postal Department.

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2. The applicant who was working in the Eastern Railway, Locomotive Workshops, Jamalpur had superannuated and was getting his monthly pension regularly from Kajra Post Office, Kajra through Savings Account No.456395. In May, 2003, the original copy of the pension payment order [PPO] somehow was lost by the applicant whereafter he requested the Postmaster, Head Post Office, Munger to issue duplicate copy of the same which till now has not been done, as a result of which the applicant has not been getting his pension.

3. There are other claims also, that the pension as per orders of the Govt. of India should have been revised particularly with merger of 50 per cent of dearness relief in the pay/pension w.e.f. January,2003 as also against deductions being continued even now though the amount of commutation of pension had to be paid each month after expiry of statutory period.

4. When pointed out that there appeared to be pluralities of causes of action in the relief portion which was against Rule 10 of the Administrative Tribunals [Procedure] Rules, the learned counsel submitted that he would insist for issuance of duplicate copy of the PPO, since the respondents were bound to pay pension at the admissible rate also taking into account the revised pension after merger of 50 per cent ^{of} dearness relief in the pension.

5. So far as issuance of duplicate PPO is concerned, in para 9 of the



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written statement, as pointed out by the learned Standing Counsel for the Railways, it has been stated that on receipt of a copy of the instant original application the Workshop Accounts Officer, Eastern Railway, Jamalpur who deals with the PPO of Pensioners of this workshop including the applicant, was advised for taking necessary action and the WAO/E.Rly/Jamalpur vide its letter No.WAO/JMP/PEN/Corr./113/06 dated 20.1.2006 has already given instructions to the Postmaster, Kajra Post Office for issuance of PPO Book to the applicant or to send the same to the WAO, Jamalpur for making a duplicate copy of PPO to be issued to the applicant. The WAO/ Jamalpur further advised the Postmaster concerned to make payment of commuted portion of pension after restoration with arrear, if not paid earlier.

6. Therefore, ^{there} _人 does not appear any more to be any dispute in this case.

Suitable instructions have already been issued by the WAO, Jamalpur for restoration of commuted portion of pension with arrears and about issuance of duplicate copy of PPO Book. In so far as merger of 50 per cent dearness relief in pension is concerned, if that has been ordered by the competent authority, the respondents naturally will consider for fixation of pension afresh with that merger, if not already done.

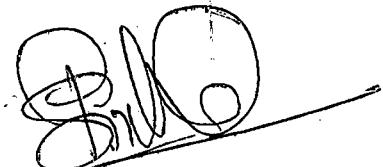
7. This application is, therefore, disposed of with direction to the



Respondent No.2, Chief Works Manager, Eastern Railway, Locomotive Workshops, Jamapur and the Respondent No. 5, Sub-Postmaster, Kajra Post Office, Kajra to take steps for payment of pension, with arrears, as stated in para 9 of the written statement which should be commenced immediately and arrears should be paid within three months of the receipt of a copy of this order.

8. The applicant will make available to the Respondent No.2 and 5, each, a copy of this order along with a copy of the application and para 9 of the written statement, within fifteen days of the receipt of certified copy of this order.

9. With the aforesaid directions, this application stands disposed of. No costs.



[P.K.Sinha]
Vice-Chairman

mps.