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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.639/92

Date of Order: 28.8.1992

BETWEEN:

G.P.Bhimsen

.. Applicant.

A N D

1. Addl. Secretary to the
Govt. of India, Ministry
of Personnel, Public
Grievances & Pensions,
Dept. of Pension and Pensioner's
Welfare, New Delhi.

2. Chairmen, Railway Board,
Rail Bhavan, New Delhi.

.. Respondents.

Counsel for the Applicant

.. Mr.G.P.Bhimsen (Party-in-
person)

Counsel for the Respondents

.. Mr. N.R.Devraj, S. for Resp.

CCRAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Single Member delivered by

Hon'ble Shri T.Chandrasekhara Reddy, Member(Judl.)).

T. Chandrasekhara Reddy

P. J.

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This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to re-compute his pension and fix the same at Rs.1,780 as on 1.1.1986 and for certain other reliefs.

Reply is filed by the respondents opposing the admission of this CA.

The applicant has filed rejoinder to the reply filed by the respondents and in the rejoinder the applicant had contended even though he had retired after 31.3.1985 he is prepared to forgo the additional relief, but claims the re-fixation of pay and pension based on revision of scales ~~as~~ as recommended by the IV C.P.C.

The applicant had worked as Deputy Controller of Stores, ^{Central Railway, V.T. Gumbaz} ~~S.W. Ry.~~. He had retired from service on 31.7.1985.

The IV C.P.C. report came into force w.e.f. 1.1.1986 with regard to the revised pays and pensions. As already pointed out the prayer of the applicant is that the pension of the applicant is to be computed and ~~re~~ fixed at Rs.1,780 as on 1.1.1986 and for certain other reliefs. No doubt there might have been drop in pension to the applicant as he had retired prior to 1.1.1986. The issue of drop in pension was considered in the National Anomalies Committee held on 8.2.1990 at the highest level and it was considered in the same meeting that the employees who retired between 31.3.1985 and 31.12.1985 were also eligible for certain other benefits like increased gratuity, commutation of pension, etc. We have gone through the Railway Boards Letter dated 27.6.1985. Admittedly the applicant's case falls under the post-merger category in terms of the Railway Boards letter dated 27.6.1985. So the claim of the applicant for recomputation of pension on the basis of comparison between pre-merger and post-merger pensionary benefits is not at all permissible. In

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view of this position we do not find any merits in this CA and hence this CA is liable to be rejected at the admission stage and accordingly rejected summarily under the provisions of 19 (3) of the Administrative Tribunals Act, leaving the parties to bear their own costs.

T. Chandrasekhara Reddy
(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated 28th August, 1992

(Dictated in the Open Court) Deputy Registrar (J)

To

1. The Additional Secretary to the Govt. of India,
Ministry of Personnel, Public Grievances &
Pensions, Dept. of Pension and Pensioner's
Welfare, New Delhi.
2. The Chairman, Railway Board, Rail Bhavan, New Delhi.
3. One copy to Mr. G.P. Bhimsen, Party-in-person,
20-215 Frenchpet, Masulipatnam-521 002.
4. One copy to Mr. N.R. Devraj, Secy. ^{for Railways} ~~Secy.~~ C.A.T. Hyd.
5. One spare copy.

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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE MR.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY :
MEMBER (J)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (J)

Dated: 28-8-1992

ORDER / JUDGMENT

R.A./C.A./M.A. No

O.A. No.

T.A. No.

639/92
(W.P. No)

Admitted and interim directions
issued

Allowed.

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered / Rejected

No orders as to costs.

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Central Administrative Tribunal
DESPATCH
11 MAR 1993
HYDERABAD BENCH