

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.64/99

Date of order: 04.04.2000

K.Benjamin, S/o Shri S.M.Benjamin, R/c Kesar Villa, 1020/1
Christianganj, Ajmer.

...Applicant.

Vs.

1. Union of India through General Manager, W.Rly, Churchgate, Mumbai.
2. Financial Advisor & Chief Accounts Officer (Pension), W.Rly, Churchgate, Mumbai.
3. Sr.Divisional Personnel Officer, W.Rly, Ajmer.
4. Divisional Accounts Officer, W.Rly, Ajmer.

...Respondents.

Mr.W.Wales - Counsel for the applicant

Mr.U.D.Sharma - Counsel for respondents.

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member

PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER.

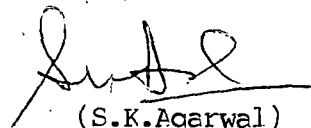
In this Original Application under Sec.19 of the Administrative Tribunals Act, 1985, the applicant makes a prayer to direct respondent No.1 to treat the applicant as a pension retiree (deemed to have opted the pension scheme) w.e.f. 1.1.1986 instead as SRPF (C) retiree in terms of Railway Board's letter dated 8.5.87 and to direct respondent No.2 to compute the pension w.e.f. 1.3.94 and to pay the arrears accordingly.

2. Reply was filed. In the reply, it has been stated clearly that the applicant has exercised his option to continue SRPF scheme and as such the applicant cannot claim to have come over to the pension scheme in pursuance of Railway Board's circular dated 8.5.1987. Alongwith the reply, the respondents have filed Annx.R1 and Annx.R2. Annexure R-1 said to have been filed on 24.9.87, makes it very clear that the applicant has declared himself to continue in CPF Scheme in pursuance of Railway Board's letter dated 8.5.87. Annexure R-2 is the forwarding letter alongwith the option given by the employee.

3. No rejoinder to contravert the version of the respondents was filed by the applicant.

4. In view of the specific reply given by the respondents alongwith Annx.R1 and Annx.R2, I am of the considered view that the applicant has no case for interference by this Tribunal.

5. I, therefore, dismiss this O.A with no order as to costs.


(S.K.Agarwal)
Member (J).