

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

DATE OF ORDER: 10.12.2001

OA 209/2001

Ganga Ram son of Shri Kesra, resident of Ramjanganj Godlai,
Post Rampura, District Tonk (Raj.).

....Applicant.

VERSUS

1. The Indian Railway through the General Manager, Western Railway, Churchgate, Mumbai.
2. The Sr. DAO, Western Railway, DRM Office, Jaipur.
3. The Branch Manager, Bank of Baroda, Branch Banetha, Tehsil Banetha, District Tonk (Rajasthan)

.....Respondents.

Mr. Vikram Singh, Counsel for the applicant.

Mr. B.K. Sharma, Counsel for respondents no. 1 & 2.

Mr. Vikas Jain, Counsel for respondent no. 3.

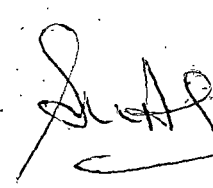
CORAM

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

ORDER

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

In this OA filed u/s 19 of the Administrative Tribunal's Act, applicant makes a prayer to direct the respondents to release the pension amount to the applicant @ Rs. 3020/- per month, as mentioned in the PPQ. Further prayer has also been made to pay the arrears of the pension amount from December, 2000 alongwith interest @ 18% interest per annum.



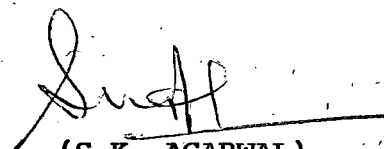
2. Admittedly the applicant was superannuated on 16.7.1997 and PPO issued in favour of the applicant clearly shows that applicant was entitled to monthly pension @ Rs. 1275/- per month and after commutation of pension, the applicant was entitled to Rs. 765/- per month ^{as pension}. On perusal of reply, filed by respondent no. 3, it appears that Bank made payment to the applicant Dearness Allowance @ 170% on original amount of pension of Rs. 1275/- and in this way made excess payment of Rs. 71,882/- to the applicant w.e.f. 17.7.97 to 31.10.2000. In the reply filed by respondents no. 1 & 2, it has been made very clear that as per PPO, the average emoluments were determined at Rs. 3020/- per month and pension amount was determined at Rs. 1275/- per month and after commutation, this amount was determined at Rs. 765/- per month. Therefore, the contention of the applicant that applicant is entitled to pension @ Rs. 3020/- is completely erroneous and he is only entitled the pension as per PPO issued by the Department.

3. It is also worth mentioning that applicant made respondent no. 3, Bank of Baroda, as necessary party in this case against whom no relief is sought. Bank of Baroda has only been authorised by respondents no. 1 & 2 to disburse the pension to the employees and Bank is always paying/dispersing payments as per the directions of respondents no. 1 & 2. Therefore, Bank of Baroda in this case is not a necessary party.

4. I, therefore, find no basis in the contention of the applicant that applicant is entitled to pension @ Rs. 3020/- per month. Applicant is only entitled pension as per PPO issued by the Department.

5. I, therefore, do not find any merit in this OA and this OA is devoid of any merit and is liable to dismissed.

6. I, therefore, dismiss this OA having no merit. No order as to costs.


(S.K. AGARWAL)
MEMBER (J)