

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

DATE OF ORDER : 23.09.2004

ORIGINAL APPLICATION NO. 334/2002

Somdutt Dwivedi son of Late Shri Nanak Ram Dwivedi aged 80 years, resident of 1124/32, Aryanagar, Ajmer (Rajasthan).

....Applicant

VERSUS

1. Union of India through the Divisional Rail Manager, Ajmer (Western Railway)
2. Sr. Divisional Accounts Officer, Ajmer Division, Ajmer (Western Railway)
3. Deputy Director (Postal), Tilak Nagar, Jaipur.

....Respondents.

Mr. Rakesh Jain, Proxy counsel for Mr. Sanjay Dixit, Counsel for the applicant.

Mr. U.D. Sharma, Counsel for the respondents nos. 1 & 2.

None present for respondent No. 3.

CORAM:

Hon'ble Mr. M.L. Chauhan, Member (Judicial)

ORDER (ORAL)

The applicant has filed this OA thereby praying that the respondents may be directed to re-fix his pension after taking into account the Basic pay plus 75% Running Allowance. His further prayer was that his pension should have been fixed on the basis of last pay, which he has drawn.


2. Notice of this application was given to the respondents. The respondents have filed detailed reply. In the reply, it has been stated that the pension of the applicant was initially fixed on the basis of average pay of last ten months and the same cannot be re-fixed on the basis of the last pay. Regarding the second grievance that the respondents have not taken into consideration the 75% Running Allowance while fixing the pension, the respondents have

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categorically stated that the pension of the applicant was fixed after taking into account the 75% of the Running Allowance. The respondent No. 2 has also placed on record the material by which the pension of the applicant was fixed w.e.f. 1.1.1978 after taking into consideration the Running Allowance and revised PPO and Calculation sheet sent to the Postal Authorities vide letter dated 10.3.2003, ^{directly} ~~asked~~ them to make payment of the arrears. The Respondents nos. 1 & 2 have also placed on record the revised PPO sent to the Respondent No. 3 vide letter dated 13.5.2004 (Annexure A/5).

3. In view of what has been stated above, the grievance of the applicant does not survive. The applicant has been paid pension correctly and his pension has also been revised subsequently as per rules.

4. In view of what has been stated above, the present OA is disposed of with no order as to costs. In case the applicant has still any grievance that the payment has not been made by the Postal Authorities as per PPO dated 13.5.2004, liberty is reserved to him to file substantive OA.


(M.L. CHAUHAN)
MEMBER (J)

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