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CENTRAL ADMINISTRATIVE TRIBUNAL  
JABALPUR BENCH

CIRCUIT SITTING AT BILASPUR

OA No.408/06

Bilaspur, this the 29th day of June 2006.

CORAM

Hon'ble Dr.G.C.Srivastava, Vice Chairman  
Hon'ble Mr.A.K.Gaur, Judicial Member

Ch.Venkat Rao  
S/● Shri Ch.Abbai  
Ex.Painter, under CF/SECR/Bhilai  
Residing at C/● Kalpana Photo Studio  
Bus Stand Road, Bhilai-3  
District Durg (CG) Applicant

(By advocate Shri B.P.Rao)

Versus

1. Union of India through  
The General Manager  
South Eastern Central Railway  
G.M.Office, Bilaspur  
Dist.Bilaspur (CG)
2. The Sr.Divisional Mechanical Engineer  
South East Central Railway  
Raipur Division  
Raipur.
3. The Sr.Divisional Finance Manager  
South East Central Railway  
Bilaspur. Respondents

(By advocate Shri M.N.Banerjee)

O R D E R (oral)

By A.K.Gaur, Judicial Member

The order dated 13.1.2004 has already become final, and the said order of the Sr.Divisional Mechanical Engineer, SEC Railway, Raipur Division, has never been challenged by the applicant.

The applicant has confined his relief to payment of proper pension in terms of 5th Central Pay Commission's Pay Scales. The applicant has filed Annexure A-6 to the OA. In para 6 of the said representation, it has been mentioned as follows:

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"6. That, on perusing the pension papers, I find that, while my scale of pay has been mentioned Rs.4000-6000 but my last pay was taken as Rs.2777/- only and accordingly amount of pension is fixed to Rs.1275/-. The original punishment order of removal from service was dated 24.1.97 and from this date compulsory retirement was effected to. The 5th Pay Commission Recommendations was given effective from 1.1.1996, therefore, the last pay which was taken as Rs.2777/- in the PPO for pension calculations is seems to be incorrect. You are therefore requested to kindly pay the proper pension as per Vth Pay Commission Pay Scales, and arrange payment of arrears of difference of payable and paid pension at the earliest."

2. The respondents are directed to consider and decide the claim of the applicant mentioned in para 6 of the Annexure A-6 representation dated 15.5.05 by passing a speaking and reasoned order within three months from the date of receipt of a copy of this order.

3. The OA is disposed of as above.



*(Signature)*  
(A.K.Gaur)  
Judicial Member

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*(Signature)*  
(Dr.G.C.Srivastava)  
Vice Chairman