

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 247 of 2004

Jabalpur, this the 20th day of October, 2004

Hon'ble Shri Madan Mohan, Judicial Member

Gayaprasad Nandram, S/o. late Shri Nandram, aged about 80 years, Retired Electrical Train Lighting (Examiner), Ex. TXR(EL) ET, Resident of New Garibiline, C/o. Rakesh Kirana Stores, Itarsi, District Hoshangabad (MP). ... Applicant

(By Advocate - Shri Rajendra Shrivastava)

V e r s u s

1. Union of India, through its General Manager, Central Railway, Bombay.
2. Divisional Railway Manager, Bhusawal Division, Central Railway, Bhusawal (MH).
3. F.A. & C.A.O. (Pension), Central Railway, Bhusawal (MH). ... Respondents

(By Advocate - Shri M.N. Banerjee)

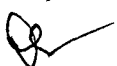
O R D E R (Oral)

By filing this Original Application the applicant has claimed the following main reliefs :

"(i) that, by issuance of a writ in the nature of mandamus, this Hon'ble Tribunal be pleased to command the respondents to pay revised pension as contained in New Pension payment order dated 27.3.2001 (Annexure A-3),

(ii) that, by issuance of a writ in the nature of mandamus, this Hon'ble Tribunal be pleased to command the respondents to pay arrears of revised pension for the period with effect from 1.1.1996 to till the revised pension payment be made with the 12% interest on delayed payment."

2. The brief facts of the case are that the applicant retired from the Railway service on 30.4.1984. At the time of his retirement his pension was fixed at Rs. 381/- plus other reliefs. His pension was revised from time to time. The respondent No. 3 vide its order dated 27th March, 2001 (Annexure A-3) issued a revised pension



payment order. Due to the recommendations of the Fifth Central Pay Commission, the pension of the applicant was revised and after calculation, consolidated pension admissible was found Rs. 2,500/- which was made payable with effect from 1.1.1996. But neither the revised pension nor the arrears due (with effect from 1.1.1996 till today) has been paid to the applicant. Hence, this OA.

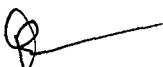
3. Heard the learned counsel for the parties and perused the records carefully.

4. The learned counsel for the applicant argued that the respondents have revised the pension of the applicant vide order dated 27.3.2001 (Annexure A-3) but they have not paid the revised pension and the arrears of pension w.e.f. 1.1.1996.

5. The learned counsel for the respondents requested time to file the reply as the revised PPO has already been issued by the respondents in favour of the applicant and now it is to be only complied with.

6. The learned counsel for the applicants states that the applicant will be satisfied if the applicant is directed to submit a fresh detailed representation about his reliefs claimed and further the respondents be directed to consider and decide this representation in the light of the order dated 27.3.2001 (Annexure A-3) within a time frame manner.

7. Accordingly, I direct the applicant to submit a fresh representation about his reliefs claimed to the respondents within a period of one month from the date of receipt of a copy of this order. If the applicant complies with this, then the respondents are directed to consider



and decide the said representation of the applicant within
from the date of receipt of such representation
a period of three months/in the light of the order dated
27.3.2001 (Annexure A-3) and also as per the rules, by
passing a speaking, detailed and reasoned order.

8. Accordingly, the Original Application stands disposed
of. No costs.

(Madan Mohan)
Judicial Member

पृष्ठांकन सं ओ/न्या.....जवलपुर, दि.....

पतिलिपि SAs को भिजल :-

- (1) सचिव, उच्च न्यायालय वार एसोसिएशन, जवलपुर
- (2) आवेदक श्री/श्रीमती/कु.....के काउंसल
- (3) प्रत्यक्ष श्री/श्रीमती/कु.....के काउंसल
- (4) बंगाला, को.प्र.अ., जवलपुर न्यायपीठ
सूचना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार

Rajendra Shrivastava
MN Banerjee

Issued
on 27.10.04
BS