

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 460 of 2004

Jabalpur, this the 1st day of September, 2004

Hon'ble Shri Madan Mohan, Judicial Member

S.L. Gupta, S/o. Late K.N. Gupta,  
aged about 60 years, R/o. Shiv  
Shakti Chhaya, Near Shobhapur  
Railway Crossing, Near Kanchanpur,  
Post Adhartal, Dist. Jabalpur-4.

... Applicant

(By Advocate - Shri S.K. Nagpal)

versus

1. Union of India, through : The  
Chairman, Railway Board, Rail Bhawan,  
New Delhi.

2. General Manager, S.E. Railway,  
Garden Reach, Kolkatta.

3. Divisional Railway Manager,  
S.E. Railway, Bilaspur.

... 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) direct the respondents to work out the  
correct amount of pension/commuted value of pension  
due to the applicant based on average pay of 10 months  
drawn/entitled to draw,

(ii) pay interest @ 12% on the amount of arrears  
of pension and commuted value of pension w.e.f.  
1.9.2003 till the date of actual payment."

2. The brief facts of the case are that the applicant  
served in the Railway Department as a Teacher w.e.f.  
25.8.1981 to 31.8.2003. He retired on superannuation as a  
T.G.T. from Railway M.H.S. Shahdol on 31.8.2003. The  
applicant is entitled to get pension based on average of  
last 10 months pay drawn by him. In the PPO the scale of pay  
of the applicant is shown as Rs. 4500-7000/- and the last  
pay drawn is shown as Rs. 6000/- which are incorrect. The

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applicant was in the scale of Rs. 5500-9000/- . Suddenly in the month of August, 2003 the pay of the applicant was reduced to Rs. 6,900/- without any information/notice to the applicant. Thus, the scale of pay and last pay drawn are shown incorrect. The applicant met personally with the DRM, Bilaspur and requested to settle his entire retiral benefits. He has therefore, requested that the respondents be directed to work out the correct amount of pension/commuted value of pension due to the applicant based on average pay of 10 months drawn, with interest of 12% on the amount of arrears of pension and commuted value of pension w.e.f. 1.9.2003 till the date of actual payment.

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

4. The learned counsel for the applicant submitted that he will be satisfied if the respondents are directed to work out his pension/commuted value of pension due to him and pay the interest on the arrears amount as per rules, within a specified period. Accordingly, this Original Application is disposed of with a direction to the respondents to correct the pension of the applicant as per rules and also grant him the arrears with interest thereon as per rules till the date of actual payment. The respondents are also directed to comply with the aforesaid direction within a period of two months from the date of receipt of a copy of this order. No costs.

(Madan Mohan)  
Judicial Member