

(7)

THE CENTRAL ADMINISTRATIVE TRIBUNAL JAIPUR BENCH, JAIPUR ORDER SHEET

APPLICATION NO.: _____

Applicant(s) S. L. Gupta

Respondent (s) Ans. 9.

Advocate for Applicant (s)

Advocate for Respondent (s)

NOTES OF THE REGISTRY

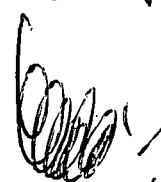
ORDERS OF THE TRIBUNAL

29.1.2007

OA 100/2006

Mr. Vileend- Jain, counsel for Applicant.
Mr. T.R. Sharma, counsel for respondents no. 1 to 3.
None present for respondents no. 4 & 5.

Heard the learned counsel for
the parties -
The OA stands disposed of by a
separate order.


(M.L. Chauhan)
M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 29th day of January, 2007

ORIGINAL APPLICATION NO.100/2006

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER

S.K.Gupta
s/o Late Shri Jawahar Lal Gupta,
R/o A-71, Ram Marg,
Shyam Nagar, Ajmer Road,
Jaipur.

By Advocate : Shri Vikram Jain

... Applicant

Versus

1. Union of India through General Manager, North Western Railway, Jaipur.
2. Sr.Divisional Finance Manager, Division Finance Office, North Western Railway, Ajmer Division, Ajmer.
3. Divisional Railway Manager, North Western Railway, Near Railway Colony, Ajmer.

By Advocate : Shri T.P.Sharma

4. Assistant General Manager, State Bank of India, Main Branch Sangneri Gate, Jaipur.
5. Chief Manager, State Bank of India, Jaipur (South) Branch, 22 Godown Industrial Area, Jaipur.

By Advocate : None

... Respondents

ORDER (ORAL)

This OA has been filed by the applicant thereby praying for the following relief :

- "i) To direct the Respondent No.2 & 3 to revise the pension amount for the period of 1.1.96 to 25.3.98 according to fifth pay commission and to send the revised pension payment order to respondent No.4 under advice to the applicant.
- ii) To direct the respondents No.4 & 5 to disburse the revised pension amount to the applicant immediately.

iii) To award interest @ 18% p.a. to be calculate on the amount of revised pension w.e.f. 1.1.96 till realisation of the amount."


2. The grievance of the applicant in this OA is to the effect that the respondents have not revised the pension amount of the applicant w.e.f. 1.1.96 on the basis of the recommendations made by the Fifth Pay Commission. It is further alleged that he made repeated representations to the departmental as well as Bank authorities for making the payment of revised pensionary benefits, but of no avail, and ultimately this OA was filed in the year 2006.

3. Notice of this OA was given to the respondents. So far as respondents No.4 and 5 are concerned, their case is that since they have not received the revised PPO from the respondent department, the payment of revised pensionary benefits could not be made to the applicant. The stand taken by respondents No.1 to 3 is that the revised PPO No.7554 dated 15.11.2000 has already been sent to the Manager, State Bank of India, Sanganery Gate Branch, Jaipur, under Registered A.D. No.2425 dated 9.1.2001. It is further stated that the revised duplicate PPO NO.7554 dated 30.9.2006 has also been sent to the Manager, State Bank of India, Sanganery Gate Branch, Jaipur. It is further stated that in view of the subsequent development, the present OA has become infructuous.

4. I have heard the learned counsel for the parties and have gone through the material placed on record. I am of the view that it is not a case where the interest should be awarded in favour of the applicant as the applicant is equally responsible for not approaching this Tribunal expeditiously in case the authorities did not revise the pensionary benefits of the applicant pursuant to the Fifth Pay Commission. Since the respondents have now issued the revised PPO dated 30.9.2006, the present OA does not survive. The Bank

authorities shall make the payment to the applicant pursuant to the revised PPO dated 30.9.2006 expeditiously and in any case within one month from the date of receipt of a copy of this order, in case the payment of revised pensionary benefits have not been made to the applicant in accordance with the revised PPO dated 30.9.2006.

5. With these observations, the present OA stands disposed of. No order as to costs.



(M.L. CHAUHAN)
MEMBER (J)

vk