

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH  
CHANDIGARH**

**O.A. NO.060/00062/2014**

**Decided on: 23.01.2014**

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)  
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Smt. Usha Kumari Bhasin wife of Shri. Iqbal Krishan Bhasin, aged 71 years, Headmistress (Retired), resident of House No. 477, Sector 10, Panchkula (Haryana)

**.....Applicant**

**Versus**

1. Chandigarh Administration through the Secretary Education, (School Cadre), Union Territory Secretariat, Sector 9, Chandigarh.
2. Director Public Instructions (Schools), Union Territory, Sector 9, Chandigarh.
3. Principal Accountant General (A&E) Punjab & Union territory, Sector 17, Chandigarh.

**.....Respondents**

Present: Mr. Manohar Lal, counsel for the applicant  
Mr. Aseem Rai, counsel for Respondents No. 1 & 2  
Mr. Brajesh Mittal, counsel for Resp. No. 3

**Order (Oral)**

**BY HON'BLE MR. SANJEEV KAUSHIK, MEMBER(J)**

1. The applicant, by way of the present O.A., has sought a direction to the respondents to revise her pension w.e.f. 01.12.2011, equal to 50% of emoluments or average emoluments received during the last 10 months, whichever is beneficial to her.
2. Learned counsel for the applicant submits that for the redressal of her grievance, the applicant has made a representation to

1  
L

the respondents firstly on 07.11.2012 and thereafter on 17.12.2013 but no view thereon has been taken so far. In support of the claim, learned counsel states that the present case is squarely covered by a decision dated 14.02.2013 of a Full Bench of this Tribunal in the case of **Rajwant Kaur Sidhu Vs. U.O.I. & Others(O.A. NO. 391/CH/2012)** whereby cut-off date of 01.12.2011 given in OM dated 15.12.2011 was held to be arbitrary and the applicant therein was held entitled to the fixture of the pension in terms of the provision of Rule 4.2 as quoted in communication dated 17.08.2009(Annexure A-5).

3. Learned counsel for the applicant makes a statement at the Bar that the applicant would be content, if a time-bound direction is issued to the respondents to consider and take a view on his representations in the light of the order passed in the case of Rajwant Kaur Sidhu (supra).

4. In view of the limited prayer of the applicant for consideration of her representations, there is no need to issue notice to the respondents and call for their reply. However, Mr. Aseem Rai and Mr. Brajesh Mittal, learned Standing counsel, who are having advance notice, appear on behalf of Respondents No. 1&2 and 3 respectively and express no objection to the disposal of the case in the requested manner.

5. Accordingly, the O.A. is disposed of in limine, on consensual basis, with a direction to the respondents to consider the

1  
L

representations of the applicant and take a view thereon in the light of order passed in the case of Rajwant Kaur Sidhu (supra), within a period of two months. No costs.

6. Needless to say, we have not commented upon the merits of the case.

**(UDAY KUMAR VARMA)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

**PLACE: Chandigarh**  
**Dated: 23.01.2014.**

'mw'