

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the **23th** day of **July**, 2018

Present :

Hon'ble Mr. Justice Bharat Bhushan, Member-J
Hon'ble Mr. Gokul Chandra Pati, Member-A

Original Application No.330/01150/2013

Raghubir Prasad S/o Sri Jograj, age about 61 years, R/o Pipal Sana, P.O. – Bhojipura, District – Bareilly.

.....Applicant.

By Advocate –Shri A.D. Singh

V E R S U S

1. Union of India through General Manager, North Eastern Railway Gorakhpur.
2. Sr. Divisional Personnel Officer, North Eastern Railway, Izatnagar, District - Bareilly.
3. Assistant Divisional Engineer, North Eastern Railway, Pilibhit.
4. Sri Rajendra Singh, Assistant Divisional Engineer, North Eastern Railway, Pilibhit.

..... Respondents

By Advocate : Shri N.C. Srivastava

O R D E R

By Hon'ble Mr. Justice Bharat Bhushan, Member-J :

The applicant has filed this O.A. for following relief(s) :

- "(i) ***Directing the respondents by way of mandamus to fix the grade pay of Rs.2000/- and one additional increment w.e.f. 1.1.2006 in pursuance of Railway Board Circular No.RBE no. 101/2009 New Delhi***

dated 10.06.2009 and RBE no. 40/2012 New Delhi dated 23.3.2012 and accordingly fix the pay and revise the pension and make the payment of the differences of arrears to the applicant with all consequential benefits including 18% interest which has already been ordered by the respondent no.2 vide letter dated 24.07.2013 to the respondent no.3 and 4.

- (ii) To take the legal action against the respondent no.4 due to deliberate and illegal harassment of the applicant inspite of the ordered of the higher authority (respondent no.2).*
- (iii) Grant such other reliefs, as the applicant might be found entitled to, in the facts and circumstances of the case.*
- (iv) Allow the Original Application with costs."*

2. In this case counter has already been filed but learned counsel for the applicant is not interested to file any rejoinder.

3. In the counter reply, it is stated that the salary of the applicant has already been revised subsequent to filing of this OA. In this regard, the order of Assistant Divisional Engineer, Pilibhit is annexed with the counter as Annexure-1 wherein it has been mentioned that the applicant has already given the benefit of Modified Assured Career Progression Scheme (MACPS) and arrears have already been given to the applicant vide Voucher No.6/4152/12E dated 05.12.2013. Similarly other payments have also mentioned in the counter. Apparently, all reliefs claimed by the applicant have already been granted to him. However, learned counsel for the applicant has submitted that the applicant has already retired in the year 2013 and he seeks revision of pensionary benefits as per rules.

4. The OA is finally disposed off with direction to the respondents that pensionary benefits, if any, be revised as per rules within a period of two months from the date of receipt of a certified copy of this order. No costs.

Member-J

Member-A

RKM/