

ORAL

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD

(This the **24th Day of August**, 2018)

Hon'ble Mr. Justice Bharat Bhushan, Member (Judicial)

Original Application No.330/805/2018
(U/S 19, Administrative Tribunal Act, 1985)

Sabhajeet Upadhyay son of Jaipal Upadhyay, Resident of Manapur, Post Office Suriyawan, District Bhadohi.

..... **Applicant**

By Advocates: **Applicant in person**

Versus

1. Union of India through Superintendent of Post Offices, Varanasi Mandal, Varanasi.
2. Postmaster Varanasi Cant Varanasi.
3. Assistant Accountant Officer, R.P. C/o Director, Post Lekha, U.P. Circle Lucknow.

..... **Respondents**

By Advocate: **Shri G.K. Upadhyay**

ORDER

Applicant present in person. Shri G.K. Upadhyay, Advocate is present for the respondents.

2. This Original Application (in short 'OA) has been filed by the applicant under Section 19 of Administrative Tribunals Act, 1987 for the following relief(s):-

- "i. to issue an order or commanding the respondent No.2 and 3 to decide application of the applicant dated 13.04.2018 sand 14.05.2018 by a reasoned and speaking order at the earliest or within the period of this Humble Tribunal be pleased to stipulate in that regard.*
- ii. any other order or direction which this Hon'ble Tribunal may deem fit and proper so as to meet the ends of justice.*
- iii Award cost of this application to the applicant.*

3. The brief facts of the case are that late Jaipal Upadhyay father of the applicant was appointed as a clerk in the postal department

and after attaining the age of superannuation retired on 31.01.1981. After his death, Smt. Phulwanti Devi, mother of the applicant, was granted family pension and after attaining the age of 92 years she made an application on 30.08.2017 for enhancement of her pension as according to rules the additional pension is granted to a retired employee of the Central Government at various stages of life, but this additional pension was not granted to the mother of the applicant by the respondents stating the reasons that date of birth of the mother of the applicant was recorded in the official record as 21.09.1937 while the correct date of birth was 01.01.1926.

4. Counsel for the applicant, further, submitted that to rectify the date of birth, mother of the applicant moved a correction application to the Department but nothing has been done by the respondents on the said correction application.

5. Shri G.K. Upadhyay, counsel for the respondents informed that requisite proceedings on the application moved by late Smt. Phulwanti Devi regarding to correct her date of birth are underway.

6. In view of the submissions made by counsel for the parties, it appears that application dated 30.08.2017 moved by late Smt. Phulwanti Devi is still pending with the respondents and rival parties have agreed that disposal of said representation would suffice. Hence, no useful purpose will be served by keeping this OA pending. Accordingly, without commenting anything on merits of the case, the instant Original Application is disposed off with the direction to the

respondent No.3 (Assistant Accountant Officer, R.P. C/o Director, Post Lekha, U.P. Circle Lucknow)/ Competent Authority to decide the representation of the applicant dated 30.08.2017 by a reasoned and speaking order within a period of three months from the date of receipt of certified copy of this order and communicate the decision so taken by the respondents to the applicant in writing. No costs.

(Justice Bharat Bhushan)
Member (Judicial)

Sushil