

**Central Administrative Tribunal
Principal Bench**

**CP No.149/2017
in
OA No.867/2015
MA No.2047/2017**

New Delhi, this the 26th day of May, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Rajinder Prasad,
S/o Late Prabhati Lal,
R/o E-1644, Netaji Nagar,
New Delhi-110023.

...Applicant

(By Advocate : Ms. Soumyasree Mishra)

Versus

1. Shri Ashutosh Sharma,
Secretary,
Department of Scientific & Industrial Research,
Ministry of Science & Technology,
Govt. of India,
Room No.14B, Administrative Block,
Technology Bhawan,
New Mehrauli Road,
New Delhi-110016.
2. Shri Attar Singh,
Pay & Account Officer,
Central Pension & Accounting Officer,
Govt. of India,
Trikoot-2, Bhikaji Cama Place,
New Delhi-110066.

...Respondents

(By Advocate : Shri Udit Kumar Chaturvedi for Shri Rajpal Singh)

ORDER (ORAL)**Mr. Justice Permod Kohli, Chairman :-**

Respondents have filed the compliance affidavit. In para 2 of the compliance affidavit, following averments have been made:-

“2. In Reply to Para 2 of the Contempt Petition it is submitted that GOI OM dated 6.4.2016 is applicable only to those pensioners whose qualifying service was less than 33 years and getting pro-rata pension. Late Shri Prabhati Lal had qualifying service for more than 33 years (38 years 2 months and 24 days) and his basic pension had already stand revised to Rs.8145/- from 01.01.2006 as per Central Pension Accounting Office, New Delhi SSA No.591619500013/1798629/A-5 dated 15.09.2015 is appended hereto and marked as Annexure I.”

2. The respondents have also placed on record copy of order dated 15.09.2015, whereby the pension of the applicant has been revised. The direction of the Tribunal was to revise the pension of the applicant in terms of the DOP&T OM dated 06.04.2016 and grant the admissible arrears. In the compliance report, respondents have categorically stated that the said OM is applicable where the pensioner had less than 33 years of qualifying service. However, in the case of the applicant, he had 38 years 2 months and 24 days service and the said Government OM dated 06.04.2016 had no application. The pension of the applicant has already been revised to Rs.8145 w.e.f. 01.01.2006. This averment complies the direction

issued by this Tribunal. We do not find any valid reason to continue this CP. Contempt Proceedings are dropped. Notices are discharged.

MA No.2047/2017

In view of the above order passed in CP, the MA stands disposed of.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

‘rk’

