

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 1234/2014

M.A. No. 1861/2015

New Delhi, this the 16th day of December, 2016

HON'BLE MR. P.K. BASU, MEMBER (A)

Dr. Dev Kumar, Aged 80 years,
Son of Late Shri Gurditta Ram,
R/o 34, Mahadev Road,
New Delhi-110 001.

....Applicant

(By Advocate : Shri Chandra Shekhar for Ms. Kajal Bhati)

Versus

1. Commissioner (CE & Health)
North Zone MCD, Civic Centre,
New Delhi-110 001.
2. Govt. of India
Ministry of Health & Family Welfare,
HS Division, Nirman Bhawan,
New Delhi.
3. Central Pension Accounting Officer
Ministry of Finance,
Department of Expenditure
Trikoort 11, Bhikaji Cama Place,
New Delhi.

...Respondents

(By Advocate : Shri Vivek Jaiswal for Shri Balendu Shekhar for R-1
and Shri K.K. Mishra for Shri D.S. Mahendru)

ORDER (ORAL)

Heard the learned counsel for both sides.

2. Learned counsel for the applicant states that the applicant has claimed that (i) his pension should be revised according to the

recommendation of the 6th Pay Commission; and (ii) he should be given the benefit of DACP Pay Scale as notified by the respondents vide office order dated 27.12.1999.

3. As regards, his claim for grant of revised pay scale under the DACP upgradation, this benefit was granted w.e.f. 25.01.1999, i.e. 9 years after the applicant had retired in 1990. Clearly, retrospective effect of this cannot be given to the applicant. However, the applicant is entitled to revision of his pension as per the recommendations of the 6th Pay Commission, for which, apparently, the respondents have taken no action as no mention has been made in their reply. Learned counsel for the applicant affirms that revision of pension after 6th Pay Commission recommendations has not been made.

4. The O.A. is, therefore, disposed of, with a direction to the respondents to re-fix the pension of the applicant as per the recommendations of the 6th Pay Commission regarding pension re-fixation, within a period of 90 days from the receipt of a certified copy of this order. No order as to costs.

(P.K. Basu)
Member (A)

/Jyoti/