

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No.2412/2017

New Delhi this the 22th day of September, 2017

HON'BLE MR. UDAY KUMAR VARMA, MEMBER (A)

Gyan Prakeash Srivastava Son of late Shri S.K. Verma
Aged 70 years, Retd. Technician/ Technical Supervisor
PPO No. **GMT/KP/PEN/14**
Resident of Tower D-1602, Logix
Blossom County, Sector 137,
Noida Expressway,
Noida-201301 (Uttar Pradesh)

-Applicant

(Applicant in person)

Versus

1. Union of India through Secretary,
Ministry of Communication and Information Technology,
Sanchar Bhawan, 20, Ashok Road,
New Delhi-110001.
2. The Senior General Manager,
Door Sanchar Bhawan,
Mall Road, Kanpur (U.P.)
3. The Accounts Officer (Pension)
Office of the Senior General Manager,
Door Sanchar Bhawan,
Mall Road, Kanpur (U.P.)
4. The Senior Accounts Officer (Pension)
Office of the Controller of Communication Accounts
U.P. (East), Telephone Exchange Building
Vikas Khan-1, Gomti Nagar Lucknow -226010.

-Respondents

ORDER (ORAL)

Heard.

2. Inter alia, it is contended that the applicant is a pre-1996 retiree, who has voluntarily retired w.e.f. 30.11.1986 from the post of Technician from the department of Telecommunication. He is claiming

fixation of his pay in the grade of Rs.5500-9000/- from 1.10.2000 and consequently revision in the pension. It is also submitted that he had made representation dated 27.06.2016, requesting the respondents to re-fix his pension w.e.f. 1.10.2000. However, there has been no response from the respondents.

3. The applicant further states that he will be satisfied if a time bound direction is given to respondent No.2 to decide his representation keeping in view the recent judgments of the Apex Court. He further prayed that a direction may be issued to the respondent no.2 that while considering his representation, they may take into account the following recent judgments of the Apex Court.

1. Union of India & Ors. **vs.** Agia Ram & Ors
(Special Leave (Civil) No.29160), decided on 27.09.2012
2. Union of India **vs.** Darshan Lal Bali & Ors.
(CWP No. 8563 of 2014) decided on 29.01.2015
3. Union of India **vs.** Tilak Raj & Ors.
(CWP No. 2105 of 2014) decided on 29.01.2015
4. Union of India **vs.** Banarsi Dass & anothers
(CWP No. 25072 of 2014) decided on 29.01.2015

4. Given the facts and the nature of the prayer, it does not seem necessary to issue notices to the respondents at this stage. Respondent No.2 is directed to take a decision on the representation of the applicant by passing a reasoned and speaking order while, inter-alia, taking into account the aforesaid Apex Court recent judgments, within a period of eight weeks from the date of receipt of certified copy of this order. Such consideration will be without any prejudice to any contention of limitation, delay or laches.

5. Needless to add that the above direction does not construe, in any manner, my opinion on the merits of this case.
6. The OA is, accordingly, disposed of.

(Uday Kumar Varma)
Member (A)

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