

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

OA NO.4184/2017

New Delhi this the 29th day of November, 2017

Hon'ble Mr. K.N. Shrivastava, Member (A)

Atul Kumar Rai,
S/o Sh. Ram Adhar Rai,
Aged about 56 years,
Post Director, Group A,
R/o 4 Flag Staff Road,
Civil Line Delhi-110054.

...Applicant

(By Advocate: Mr. Rhishabh Jetley)

Versus

1. Department of Financial Services,
Ministry of Finance,
Through Secretary,
Jeevan Deep Building,
Sansad Marg,
New Delhi-110001.
2. Department of Economic Affairs,
Ministry of Finance,
Through Secretary,
North Block,
New Delhi-110001.

...Respondents

(By Advocate: Mr. Rajesh Katyal)

ORDER (Oral)

Heard.

2. Issue notice to the respondents. At this stage, Shri Rajesh Katyal, learned counsel, accepts notice for the respondents.
3. The applicant retired from the post of Director, Department of Economic Affairs, Ministry of Finance, after availing VRS. He was accordingly granted retiral benefits and issued PPO. Pursuant to the implementation of the 6th CPC recommendations, his pension was revised vide Annexure A-1 (colly.) PPO dated 01.06.2009. It is stated that the applicant was subsequently granted non-functional upgradation vide Annexure A-5 letter dated 14.12.2009. Accordingly

he was placed in the Grade Pay of Rs.10,000 in Pay Band 4 (Rs.37,400-67,000) on non-functional basis. The grievance of the applicant is that despite his reply to the show cause notice, the respondents have not re-fixed his pension pursuant to grant of non-functional upgradation to him. A representation dated 20.06.2016 of the applicant is at Annexure A-16.

4. Learned counsel for the applicant submits that the applicant would be satisfied if a time bound direction is given to the respondents to decide the representation of the applicant.

5. Having regard to the submissions made by the learned counsel for the applicant and without commenting on the merits of the case, this OA is disposed of with a direction to the respondent no.2 to decide Annexure A-16 representation dated 20.06.2016 of the applicant within a period of three months from the date of receipt of a copy of this order by way of passing a reasoned and speaking order. In case the applicant remains dissatisfied with the order to be passed by the respondent no.2 on his representation, he shall have liberty to take appropriate remedial measures as available to him under law.

(K.N. Shrivastava)
Member (A)

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