

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA No. 2921/2017**

New Delhi this the 27<sup>th</sup> day of September, 2018

**Hon'ble Ms. Nita Chowdhury, Member (A)**

Late Sh. B.H. Ahuja, Architect, aged 71,  
(retired Architect, Ministry of Industry,  
Director General of Health Services,  
Through LR's wife Smt. Usha Ahuja,  
R/o Block No.C-4-E; Flat No.173, Janakpuri,  
New Delhi-110058

- Applicant

(By Advocate: Mr. Ranvir Singh)

VERSUS

1. Union of India through  
The Secretary,  
Ministry of Finance,  
Department of Expenditure,  
South Block, New Delhi-110001
  
2. The Secretary,  
Ministry of Personnel, P.G. & Pensions,  
3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi-110003
  
3. The Secretary,  
Ministry of Industry,  
Director General of Health Services,  
Architectural Wing, Nirman Bhavan,  
New Delhi-110001

- Respondents

(By Advocate: Mr. Rajinder Nischal)

**O R D E R** (Oral)

This Original Application has been filed by the applicant seeking the following reliefs:-

- A. Quash letter No.PAO/DGHS/PN/1108/1322 dated 1.10.2013-Annexure A-1, from respondent No.3, fixing applicant's basic pension at Rs.15,305/- per month.
  
- B. Direct respondents to fix applicants pension in terms of Ministry of Finance, Department of Expenditure F.No./1/2008-IC dated 30<sup>th</sup> August, 2008;

- C. Pay cost of the Original Application;
- D. Pass any other Order/s that this Hon'ble Court may deem fit in the facts and circumstances of the case."

2. In brief, it is the case of the applicant that he has not been given the pensionary benefits which are due to him, in accordance with the decisions of the Hon'ble High Court and Apex Court. The respondents, in their reply, state that they have made the correct payment of the pension vide order No.A.8012/4/2002-Admn-I dated 25.10.2017.

3. Quite simply, the issue with regard to re-fixation of pension of the applicant can only be decided by the respondents. Accordingly, this Tribunal directs the respondents to again examine the claim made by the applicant and pass a detailed and speaking order within a period of 90 days from the date of receipt of a copy of this order. If any amount is found to be payable to the applicant on re-fixation of pension, the same shall be paid to him within 30 days thereafter. Accordingly, the OA stands disposed of. No costs.

**(Nita Chowdhury)  
Member (A)**

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