

**Central Administrative Tribunal
Ernakulam Bench**

CP(C)/180/00106/2016
in OA/180/00401/2014

Monday, this the 12th day of March, 2018

CORAM

HON'BLE MR.U.SARATHCHANDRAN, JUDICIAL MEMBER

HON'BLE MR.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

K.R.Radhakrishnan
Sorting Assistant (Retd)
Railway Mail Service
Kottayam
Trivandrum Division, Trivandrum.

Petitioner

(By Advocate:Mr.Siby J.Monippally)

versus

A.N.Nanda, aged 58 years
S/o Nanda
Chief Post Master General
Kerala Circle, Trivandrum.

Respondent

(By Advocate: Mr.V.A.Shaji, ACGSC)

This CP(C) having been heard on 12th March, 2018, the Tribunal delivered the following order on the same day:

O R D E R (oral)

By U.Sarathchandran, Judicial Member

Heard both sides. It was submitted by Sri V.A.Shaji, learned ACGSC that the respondents have produced Annexure R1 revised Pension Payment Order dated 16/18.3.2018 wherein the pre-revised scale from which the applicant had retired and the corresponding new Pay Band and the Grade Pay applicable thereto are clearly stated and that the revised pension has been calculated as Rs.5585/- per month. Sri Monippally disputes the manner in which the aforesaid amount has been arrived at. His contention is that the

revised pension should be 50% of the last pay drawn by the applicant plus the Grade Pay.

2. Sitting in contempt proceedings, we are not expected to enter into details of the calculation made by the applicant unless it is shown that there is willful and deliberate disobedience of this Tribunal's order at Annexure A1. We are unable to see any element of willful disobedience on the part of the respondents in passing Annexure R1.

3. In the circumstances, this CP(C) is closed and notices discharged.

4. Contempt Petitioner is free to agitate the quantum of pension, in some other proceedings, if so advised.

(E.K.Bharat Bhushan)
Administrative Member

(U.Sarathchandran)
Judicial Member

aa.

Annexure filed in the CP(C)

Annexure A1: Copy of the judgment dated 8.10.2015 in OA No.401 of 2014.

Annexure with the affidavit filed by the respondents

Annexure R1: Copy of letter No.6217/Pen/C No./PPO No.11399/LPR dated 18.3.2016.