

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

Original Application No. 131 of 2018

This the 3rd day of May, 2018

Hon'ble Dr. Murtaza Ali, Member-J

Virendra Kumar Tiwari, aged about 75 years, S/o Sri R.N. Tewari,
Ex-Assistant Superintending Archaeologist, R/o 14/453, Vikas
Nagar, Lucknow.226022

.....Applicant

By Advocate : Sri Praveen Kumar

Versus.

1. Union of India through the Secretary Culture,
Department of Human Resources Development,
Government of India, Shastri Bhawan, New Delhi-11.
2. The Director General, Archaeological Survey of India,
Janpath, New Delhi-11.
3. Director (Administration) Archaeological Survey of India,
Janpath, New Delhi.

.....Respondents.

By Advocate : Sri B.G. Tripathi.

O R D E R (Oral)

Heard the learned counsel for the applicant as well as
learned counsel for the respondents and perused the records.

2. By means of this Original Application, the applicant has
sought the following main relief(s):-

- “(i) to direct the respondents to restore the portion of the
pension with effect from 1.2.2017 and release the
arrears thereof.
- (ii) to release the arrears of pension alongwith interest @
18% per annum from the date of due till the actual
date of payment.”

3. Brief facts of the case are that the applicant retired from
service on 31.1.2002 on attaining the age of superannuation from
the post of Deputy Superintendent Archaeologist. On the date of

retirement, all the pensionary benefits including commutation of pension were paid to the applicant. It is the case of the applicant that after lapse of 15 years from the date of retirement, his pension, which was commuted by the respondents, has not yet been restored. Thereafter, the applicant filed a representation to the respondents on 17.3.2017 followed by reminder dated 1.12.2017, but no heed was paid by the respondents.

4. The counsel for the applicant submits that the applicant would be satisfied if this O.A. be disposed of by directing the respondents to consider and decide his representation of the applicant in accordance with rules within a stipulated period of time.

5. The learned counsel for the respondents has no objection on the innocuous prayer so made by the learned counsel for the applicant.

6. In view of the above, without making any comments on the merits of the case, this O.A. is finally disposed of at admission stage itself by giving direction to the respondents/competent authority to consider and decide the representation of the applicant 17.3.2017 followed by reminder dated 1.12.2017, within a period of two months from the date of receipt of production of certified copy of this order by passing a reasoned and speaking order in accordance with law under intimation to the applicant. There shall be no order as to costs.

(Dr. Murtaza Ali)
Member-J

Girish/-