

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDBAD BENCH**

ORIGINAL APPLICATION NO 535 OF 2016

Dated, this 20th day of November, 2016

**CORAM:HON'BLE MS ARCHANA NIGAM, MEMBER(A)
HON'BLE SHRI M C VERMA, MEMBER(J)**

Shri Arvindbhai,
Son of Shri Ishwarbhai,
Age: 61 years,
Retd. Trollymen of the respondents
Residing at Vankarvas,
At & PO Nalipur,
Ta. Dist. Bharuch – 392210

... Applicant

(By Advocate: Shri M S Trivedi)

V/s

- 1 The General Manager,
Western Railway,
Churchgate,
Mumbai – 400 020.
- 2 The Divisional Railway Manager,
O/o. DRM, Western Railway,
Divisional Office,
BRC Division,
Vadodara – 395 623
- 3 Financial Advisor &
Chief Accounts Officer,
O/o. FA & CAO, CCG,
Western Railway,
Churchgate, Mumbai – 400 020.

... Respondents

(By Advocate: Ms. Nisha Parikh)

ORDER (ORAL)**HON'BLE SHRI M C VERMA, JUDICIAL MEMBER**

1 This OA has been preferred by applicant Arvindbhai Ishwarbhai and his grievance is that his pensionary benefits were calculated on the basis of reduced pay i.e. @ Rs.11860/- and considering the non qualifying service of 4 years, 4 months and 26 days due to wrong calculation. After issuance of notice respondents have filed reply. In para-4 of the reply filed by respondents it has been stated that an increment has been revised and his pay has been calculated from Rs.11860/- to Rs.12220/- with effect from 01.07.2013.

2 Heard Shri M S Trivedi, learned counsel for applicant and Ms Nisha Parikh, learned counsel for respondents.

3 Learned counsel Shri M S Trivedi, referring para-4 of the reply filed by respondents submitted that applicant would have no grievance if whatever has been stated in para-4 of the reply is fulfilled by respondents in letter and spirit and he urged that OA can be disposed of giving direction to respondents to calculate and pay the arrears of revised pension and admissible as per memorandum No. E/789/1 N-BH dated 08.10.2016, with interest. Learned counsel for respondents informed that PPO has already been issued on 12.12.2016 and that arrears might have been paid. She is having no information but para-4 of reply of respondents reads as under:-

“It is submitted that in the present petition, applicant has sought relief to quash and set aside action of the respondents/ PPO/WR/21202/244955 dated 24.03.2014 not calculating pensionary benefit on the basis of last pay of Rs.12360/-. The increment has been revised vide memorandum no. E/789/1 N-BH dated 08.10.2016 of ADEN (N) BH in which the pay of increment has been revised from 11860/- to 12220/- with effect from 01.07.2013. A copy of the revised increment roll is Annexure here and mark as a Annexure R1 in this reply.”

4 Considered the submissions.

4 Having heard the learned counsel and in view of assertions made in para-4, of reply of respondents, this OA stands disposed of with direction to respondents that in case as per memorandum no. E/789/1 N-BH dated 08.10.2016 of ADEN (N) BH, if consequential benefits on revision of pay have not yet been paid to the applicant, same may be paid within three months from today with interest permissible under Rules.

5 With above direction the OA is disposed of. There shall be no orders as to costs.

(M C VERMA)
MEMBER(J)

(ARCHANA NIGAM)
MEMBER(A)

abp