CENTRAL ADMINISTRATIVE TRIBUNAL
AMHEDABAD BENCH
Contempt Petition No. 19 of 2018 in OA No. 549 of 2017
Ahmedabad, this the 7th day of January, 2019

CORAM :

Hon'ble Ms. Archana Nigam, Member (Administrative)
Hon'ble Mr. M.C. Verma, Member (Judicial)

Shri Gosla B. S/o Shri Bhangdabhai aged 69 years, retired as Keyman from Engineering Deptt. BRC, resident of AT :Hardaspsur, Post Tejgadh, Ta: Chhota Udaipur, District Vadodara – 392 541. **....Applicant**

[By Advocate Ms. S.S.Chaturvedi]

VERSUS

1- Union of India notice to be served through Shri Anil Kumar Gupta or his successor General Manager, Western Railway, Churchgate, Mumbai – 400 020.
2- Shri Devenra Kumar or his successor Divisional Railway Manager (E), Western Railway, Pratapnagar, Baroda-390 004.
3- Shri Subhash Chandar or his successor Senior Divisional Railway Manager, Western Railway, Pratapnagar, Vadodara – 390 004.
4- State Bank of India, Centralized Pension Processing Centre, F-4, SiddharajZavod, Nr. Sargasan Cross Road, S.G. Highway, Sargasan, District – Gandhinagar – 322 421. **.....Respondents**

[By Advocate Mr. M.J.Patel]

ORDER

Per M.C.Verma, Member (J) :

This C.P. has been preferred by the applicant of original O.A. No. 549 of 2017 .The grievance of the applicantin the said OA was regarding non-extending of benefits of VI and VII Pay Commission and a direction was sought to revise his pay as per the Report of the VI and VII Pay Commission. The O.A. was disposed of at notice stage itself vide order dated 06.12.2017, operative part of the order reads :-**"In view of the limited prayer made by the counsel for the applicant but without commenting anything on the merits of the case, the OA is disposed of with direction to respondent no. 3/Competent Authority to decide the representation dated 11.09.2017 of the applicant by passing a reasoned and**

speaking order within two months from the date of receipt of certified copy of this order. The applicant is also directed to send a copy of this order along with a copy of representation dated 11.09.2017 to the said authority within a period of two weeks. No order as to costs."

2. Learned counsel Ms. S.S.Chaturvedi representing the applicant submits that there was specific direction to decide the applicant's representation, dated 11.09.2017 by passing a reasoned and speaking order within two months, but the respondents have not decided his representation within the time frame, whereas, learned counsel Mr. M.J.Patel, representing the respondents submits that it is true that direction was there to decide the representation but taking in view the spirit of the grievance of the applicant, a fresh PPO incorporating benefits of VI and VII Pay Commission was issued by the respondents, so there is no violation of the order and, rather order has been implemented in latter and spirit. Learned counsel for applicant, at this stage, added that there was request for interest also but that has not been decided, respondents are taking evasive approach, hence, they may be directed to take decision about release of interest also.

3. Having considered the arguments we deem it fit and proper to direct the respondents to decide the representation dated 11.09.2017 in toto, including the issue of interest payable because of delayed payments, as has been raised by the applicant, within one month from the date of issue of this order and communicate the same to the applicant.

4. With the aforesaid direction, the C.P. is disposed of. Notice issued to the respondents are discharged.

[M.C.Verma]
Member (J)

[Archana Nigam]
Member (A)

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