

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/000763/2018

DATED THIS THE 14TH DAY OF MARCH, 2019

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C.V. SANKAR, MEMBER (A)

Shri V.V. Balan
Aged 86 years,
S/o Late V.L. Vedarama Iyer,
No. 75 – Mudappa Road Cross,
Bangalore 560 033
(By Party-in-person)

..... Applicant

Vs.

1. Union of India
By the Secretary,
Department of Posts,
Dak Bhavan,
New Delhi – 110 001

2. The Chief Postmaster General,
Karnataka Circle, Bangalore 560 001

3. The General Manager Finance (Postal Accounts)
Bangalore GPO, Bangalore 560 001

.....Respondents

(By Shri Vishnu Bhat, Senior Panel Counsel)

O R D E R (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J))

Heard. The applicant challenges the calculation of average pension drawn. The respondents produces a calculation which we quote:

PERIOD	CALCULATION	AVERAGE
08.07.88 to 31.07.88	@2525 * 24 days / 31	1,954.83
01.08.88 to 31.01.89	@ 2525 * 06 months	15,150.00
01.02.89 to 03.02.89	@ 2525 * 03 days / 28	270.53
04.02.89 to 28.02.89	@ 2420 * 25 days / 28	2,160.71
01.03.89 to 30.04.89	@ 2420 * 2 months	4,840.00
01.05.89 to 07.05.89	@ 2420 * 07 days / 31	546.45
	TOTAL	24,922.52
10 MONTH AVERAGE EMOLUMENTS	24,922.52/10	2,492.25
ORIGINAL PENSION	50% of AE	1,246.12
ROUNDED OFF TO		1,247.00

2. The original pension is based on the last pay drawn or the last 10 months average emoluments, whichever is beneficial to the official, and subsequent revisions are based on last pay drawn only that is the contention of the respondents. But then, pension is not a bounty to be given at the whim and fancy of the respondents. After having extracted work from the applicant, applicant is eligible to have as notionally his last pay drawn the average of the 10 months. It will be valid for subsequent revisions also as the last pay drawn. Therefore, the last pay drawn will be re-fixed in accordance with this declaration which we have now made and benefit to be granted to the applicant within two months next.

3. The OA is allowed to this extent. No order as to costs.

(C.V. SANKAR)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00763/2018:

- Annexure-A1: Copy of the representation of the applicant dated 27.12.2017
Annexure-A2: Copy of the Chief Postmaster General letter dated 28.03.2018
Annexure-A3: Copy of the representation of the applicant addressed to The Chief Postmaster General
Annexure-A4: Copy of the Chief Postmaster General letter dated 10.05.2018
Annexure-A5: Copy of the revision of pension of pre-2016 retirees letter dated 12.03.2018
Annexure-A6: Copy of the representation of the applicant dated 21.05.2018

Annexures with reply statement:

- Annexure-R1: Copy of the order in OA No. 200/2006
Annexure-R2: Copy of the order in OA No. 397/2006
Annexure-R3: Copy of the order in OA No. 300/2011
Annexure-R4: Copy of the order in OA No. 582/2014

* * * * *