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In the Central Administrative Tribunal

Calcutta Bench.

Title of the Case

O.A. No. 935 of 2018.

In the matter of

Mahadev Biswas,

Ex-Grade I Moulder,

Attached to the Office of Deputy Chief

Engineer South Eastern Railway at SINI

Workshop, Residing at Village- Dhamua,

P.O.- Dhamua, District- South 24-Parganas.

Pin- 743 610.

..... Applicant.

-Versus-

1. Union of India,

Service through the General Manager,

South Eastern Railway,

11, Garden Reach Road,

Kolkata- 700 043.

2. The Deputy Chief Engineer,

South Eastern Railway,

Engineering Work Shop SINI,

P.O.- SINI, Jharkhand,

Pin- 833 220.

3. The Deputy Financial Advisor  
Cum- The Chief Accounts Officer,  
South Eastern Railway Work Shop,  
Kharagpur, West Bengal,  
Pin- 721301.

4. The AFA (W/S) SINI,  
South-Eastern Railway,  
P.O.- SINI, Jharkhand,  
Pin- 833 220.

5. Dy. FA & CAO (W/S),  
South Eastern Railway, P.O.- SINI,  
Jharkhand, Pin- 833 220.

6. The Assistant Accounts Officer,  
Work Shop- SINI, P.O.- SINI,  
Jharkhand, Pin- 833 220.

7. The Assistant Personnel Officer,  
Work Shop- SINI (Pension  
Sanctioning Authority),  
South Eastern Railway,  
P.O.- SINI, Jharkhand,  
Pin- 833 220.

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8. The Manager,

Allahabad Bank, Kolkata Main

Branch, 14, Indian Exchange Place,

Kolkata-700 001.

9. The Manager,

Allahabad Bank, Subuddhipur

Branch, Village- Subuddhipur,

P.O.- Baruipur,

District- 24-Parganas(South)

Pin- 700 144.

...Respondents.

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CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A/350/935/2018

Date of Order: 20.11.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

***Mahadev Biswas -Vs- S.E Railway***

For the Applicant(s): Mr. P. Dhole, Counsel

For the Respondent(s): Ms. G. Roy, Counsel

Mr. P. Mukherjee, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Ld. Counsel for both the parties in extenso.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“ a) Directing the respondents to release revised pension of Pre-2006 pensioners in terms of the recommendation of the 6<sup>th</sup> Central Pay Commission to the applicant and to take steps for actual payment of the same to him within a stipulated time.

b) Directing the respondents to pay interest at the rate of 12% for delayed payment of revised pension of Pre-2006 pensioners in terms of the recommendations of the 6<sup>th</sup> Central Pay Commission to the applicant from the date it is accrued till the date of actual payment. ”

3. The case of the applicant as submitted by Ld. Counsel for the applicant is that he was appointed as Moulder in the S.E. Rly in the year 1963 and was subsequently promoted as Grade I Moulder and retired from service on 31.5.2003. On 21.5.2013, the applicant received an application form from the Railway Authority requesting him to fill up the same to get revised pension of Pre-2006 and the applicant filled up the same and deposited it before the Respondent No. 4 and the concerned Bank, i.e Allahabad Bank, Subuddhipur Branch, in which he draws his pension. The applicant submits that after depositing the said application his pension has not been revised for which he has moved this Tribunal.

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4. I find from the record that a legal notice has been issued by the Advocate, who in my considered opinion is an office of the Court and such Advocate's notice cannot be considered as a representation.

5. In view of the above, on the prayer made by Ld. Counsel for the applicant, without going into the merit of the matter, I dispose of this O.A. by granting liberty to the applicant to prefer an exhaustive representation to Respondent Nos. 4, 6, 7 and 8 with all the required documents within a period of four weeks from the date of receipt of this order and in case any such representation is preferred then the said Respondents are directed to consider the same as per rules and regulations in force and communicate the result to the applicant in a well reasoned order within a period of six weeks from the date of receipt of copy of the representation. Although I have not expressed any opinion on the merit of the matter and simply disposed of the O.A. with liberty to the applicant to prefer representation, still then I make it clear that after such consideration the grievance of the applicant is found to be genuine then expeditious steps be taken to grant the benefit of enhanced pension to the applicant within a period of three months from the date of such consideration.

6. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

7. Copies of this order be handed over to the Ld. Counsel for the parties. Applicant is at liberty to annex copy of this order along with his representation to be preferred.

(A.K.Patnaik)  
Member(J)