

**Central Administrative Tribunal
Principal Bench**

OA No.1927/2016

MA No.1881/2016

MA No.1880/2016

With

OA No.3590/2015

MA No.2958/2016

New Delhi, this the 25th day of July, 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman

Hon'ble Mr. Mohd. Jamshed, Member (A)

I. OA No.3590/2015

1. V. Natarajan,
S/o A.S. Venkataraman,
Aged 76 years,
R/o 8/New No.7, Jayaram Avenue,
Sastri Nagar,
Adayar, P.O.,
Chennai-600020.
2. Sankar Majumder,
S/o Niranjana Majumder,
Aged 69 years,
R/o 48, South Park,
3rd Floor, Kolkata,
WB-700075.
3. Prem Chandra Shrivastava,
S/o C.B. Lal Shrivastava,
Aged 71 years,
R/o 75, Lane No.8,
Mohit Nagar,
GMS Rd. Dehradun-248006.
4. Narasimhan K.Y.,
S/o K.Y. Ramanujachari,
Aged 74 years,
R/o 582, 16th Main,
10th Cross, Padmanabhanagar,
Bangalore-560070.

5. Smt. K. Suguna,
W/o Late K.S. Murti,
Aged 71 years,
(Family Pensioner),
R/o B-73, Steel & Mines Complex,
Srinagar Colony,
Hyderabad-500073.
6. Sailendra Nath Das
S/o Jogendra Nath Das,
Aged 76 years
R/o 323,
Jodhpur Park, Flat No. 2,
Kolkata – 700068
7. Nirendra Bhaumik,
S/o Hriday Kanta Bhaumik
Aged 77 years,
R/o 32/3K, Gariahat Road,
South Kolkata-700031
8. Sunil Bhattacharya
S/o Gopal Chandra Bhattacharya
Aged 77 years,
R/o Flat No. 5, 323,
Jodhpur Park, Kolkata-700068.
9. N.B.G.Tilak
S/o N.R. Rao
Aged 74 years,
R/o 8-3-169/111,
Sidhartha Nagar, Sai Sruthi,
Hyderabad – 500038.
10. Dr P. Ramachandra Rao Pant
S/o P. Kameswara Rao,
Aged 77 years,
R/o HNo. 12-13-369,
Sai Krupa, St. No. 19,
Tarnaka, Secundrabad – 500017
11. Dr. B.S.R. Murthy
S/o Satyanarayana Murty,
Aged 73 years,
R/o 2-2-18/18/4/19,
Bagh Amberpet,
Hyderabad – 500013.

12. Dr. Anupendu Gupta
S/o Dr. Amulendu Gupta,
Aged 73 years,
R/o Flat No. 3,
BB-45, Salt Lake Sector – 1,
Kolkata – 700064.
13. Jajati Bhattacharjee
S/o Jatindra Mohan Bhattacharjee,
Aged 76 years,
R/o 15, Janata Road,
Santoshpur, Kolkata – 700075.
14. P.H. Babu,
S/o Poornachandra Rao,
Aged 71 years,
R/o HNo. 1990, 3rd Cross, 20th Main,
J.P. Nagar, 2nd Phase,
Bangalore – 560078.
15. Soumyendra Nath Mitra
S/o Upendra Nath Mitra,
Aged 71 years,
R/o Plot No. DB – 32,
Flat No. 222, Salt Lake,
Sector – 1, Kolkata – 700064.
16. A.G.B. Reddy
S/o A.G. Vasudeva Reddy,
Aged 82 years,
R/o 516, 2nd Cross, 6th Block, 2nd Phase,
BSK, 3rd Stage, Bangalore – 560085.
17. R. Raman
S/o Ramachandran,
Aged 73 years,
R/o Plot No. 6L, Flat No. 3,
Karthik Apptt. Sain Marys Road,
Mandaveli, Chennai – 600028.
18. Rao S.V.G. Krishna
S/o S. Kanakam,
Aged 74 years,
R/o HNo. 17-1-391/3,
Subramanya Nagar, Saidabad,
Hyderabad – 500059.

19. Umesh Behari Mathur
S/o N.B. Mathur,
Aged 75 years,
R/o Flat No. 103, Apple Palms
Apptt. B-198, University Marg,
Bapu Nagar, Jaipur – 302015.
20. V.Venkatesh
S/o V.P. Avadhani,
Aged 90 years,
R/o C-23, Steel & Mines Complex,
Srinagar Colony, Hyderabad – 500073.
21. K. Srinivasa Rao
S/o K. Bhadraiah,
Aged 74 years,
R/o 8-3-945, Flat No. 401,
Srinilaya Estate, Srinagar Colony Post,
Ameerpet, Hyderabad – 500073.
22. Dr. Subimal sinha roy
S/o S.C. Sinha roy,
Aged 76 years,
R/o Flat No. I- 203, Pearl Green acres,
Shri Gopalnagar, Gopalpura Bypass,
Jaipur – 302019
23. M. Srivastava
S/o Baldev Prasad,
Aged 68 years,
R/o 19/327, Indira Nagar,
Lucknow – 226016.
24. Mangala Prasad
S/o B.L. Srivastava,
Aged 69 years,
R/o 2/134, Vikas Nagar, Lucknow.
25. Devapriya Ghosh
S/o Sura Chandra Ghose
Aged 77 years,
R/o Flat No. 9, Hemasree apt. 2
Kalibari lane, Jadavpur, Kolkata – 700032.

26. T.S. Seshadri
S/o T. Seshachar,
Aged 83 years,
R/o 749, 33rd Cross, 9th Main, 4th Block,
Jayanagar, Bangalore — 560011.
27. Nirmal Chattopadhyay
S/o Digendra Lal Chattopadhyay,
Aged 72 years,
R/o 314A, Unique Park, Behala,
Kolkata – 700034.
28. M. Gajapathi Rao
S/o M.V. Narayana,
Aged 84 years,
R/o HNo. 12-2-826/A/11, LIC Colony,
Mehdipatnam, Hyderabad – 500028.
29. Ashok Kumar Talapatra
S/o Aswani Jumar Talapatra
Aged 74 years,
R/o 43C, Baikuntha Ghose Road,
PO Kasba, Kolkata – 700042.
30. V.G. Rajagopalan
S/o S. Govindrajan,
Aged 82 years,
R/o Flat No. 3, IInd Floor, Block – C, Vasanth Apptt,
TT Matthew Road, Ayanambakkam,
Chennai – 600095.
31. E.V.R. Parthasaradhi
S/o Appalachary,
Aged 72 years,
R/o 2-2-18-31-C/6, DD Colony,
Hyderabad – 500013.
32. Utpal Bose
S/o N.K. Bose,
Aged 76 years,
R/o DB – 11, Flat No. 113,
Salt Lake, Sector – I, Kolkata – 700064.
33. Dwijesh Chandra Chakravarty
S/o Sailesh Chandra Chakravarty,
Aged 78 years,
R/o Flat No. 126, Block – DB – 12,
Salt Lake City, Kolkata – 700064.

34. R.K. Gaur
S/o Jagdish Narayan Lal Gaur,
Aged 74 years,
R/o B-2/4, Sector – F, Janakipuram,
Lucknow – 226021.
35. Girja Shanker Srivastava
S/o Mata Prasad Srivastava,
Aged 72 years,
R/o 3/193, Vivek Khand – 3, Gomtinagar,
Lucknow – 226010.
36. V.K. Raina
S/o J.L. Raina,
Aged 82 years,
R/o 258, Sector – 17, Panchkula,
Haryana – 134109.
37. Rajendra Prasad Srivastava
S/o G.L. Srivastava,
Aged 74 years,
R/o H No. 25, Sector – 19, Indiranagar,
Lucknow – 226016
38. S.P. Rastogi
S/o M.D. Rastogi
Aged 73 years,
R/o B – 211, Indira Nagar, Adj. I.O. Bank,
Bhoot Nath Temple, Lucknow-226016.
39. Prem Chand Bakliwal
S/o K.L. Bakliwal,
Aged 70 years,
R/o D – 143A, Savitri path, Bapu Nagar,
Jaipur.
40. Kashi Ram
S/o Har Bhagat,
Aged 71 years,
R/o A-453, Malviya Nagar,
Jaipur – 302017.
41. Ajaya Kumar Agrawal
S/o R.K. Agarwal,
Aged 71 years,

R/o 758, Mahaveer Nagar, Tonk Road,
Jaipur – 302018.

42. Jagdish Lal Narang,
Vir Bhan Narang
Aged 71 years,
R/o 4/513, Malviya Nagar,
Jaipur – 302017.
43. Dr. Abhijit Mukhopadhyay,
S/o Sunil Kumar Mukherji,
Aged -73 years,
R/o 12A, Bakul Bagan Row,
Kolkata – 700025.
44. N. Venkatappayya
S/o N. Pattabhiramayya,
Aged 88 years,
R/o C-31, Steel and Mines Complex,
Srinagar Colony, Hyderabad – 500073.
45. R.L. Munshi
S/o Rana Lal Munshi,
Aged 73 years,
R/o 109, Kanungo ka Nohra,
Inside Suraj Pole, Udaipur – 313001.
46. Subhash Chandra Sharma
S/o Ratan Sharma,
Aged 74 years,
R/o 2/14, Vivek Khand – II, Gomti Nagar,
Lucknow – 226010.
47. Narendra Kumar Agarwal
S/o Narain Das Agarwal,
Aged 70 years,
R/o B 1/54, Sector – G, Janakipuram,
Lucknow – 226021.
48. Bhupendra Kumar,
S/o Ayodhya Prasad Gaur,
Aged 75 years,
R/o Flat No. 305, Euro Exotica,
Kushal Nagar, New Sanganer Road,
Sanganer, Jaipur

49. K. Srinivasachari
S/o K. Purshottamchari,
Aged 74 years,
R/o 211, Devi Apa 12-2-790/26,
Ayodhyanagar Colony, Mehdipatnam,
Hyderabad – 500028.
50. B.K. Aalok,
S/o Komal Prasad,
Aged 74 years,
R/o 397, Indira Nagar Colony,
Dehradun – 248006.
51. S.S. Kanwar,
S/o Bharpur Singh,
Aged 74 years,
R/o HNo. 803, Sector – 38A,
Chandigarh – 160014.
52. Alluri Viswanadha Raju,
S/o Alluri Venkata Rama Raju,
Aged 75 years,
R/o 404, Dhanunjaya Towers,
Road No.1, Banjara Hills,
Hyderabad-500034.
53. Ananda Mohan Rakshit,
S/o Kshudi Ram Rakshit,
Aged 73 years,
R/o Badamtala, Boral Main Road,
Boral, District South 24 Parganas,
West Bengal-700154.
54. P.K. Yadav,
S/o Nathu Lal Ji Yadav,
Aged 70 years,
R/o 62, Krishnapura,
Near St. Paul School,
Udaipur Rajasthan-313001.
55. Vanka Prasad,
S/o Vanka krishna Murty,
Aged 72 years,
R/o Flat No.405, SS Classic Apptt.,
East Point Colony,
Vishakhapatnam-530017.

56. Udai Kumar Bassi,
S/o Nanak Chand Bassi,
Aged 68 years,
R/o 255, Kendriya Vihar,
Sector-48B,
Chandigarh-160047.
57. Akhilesh Choudhury,
S/o Apurba Chandra Chowdhury,
Aged 76 years,
R/o DB-10, flat No.104, Sector-1,
Salt Lake, Kolkata-700064.
58. S. Neelakantham,
S/o Harinarayana,
Aged 74 years,
R/o 7-1-282/C/64, Sree Rama Nagar,
B.K. Guda, Hyderabad-38.
59. Dr. Nikhil Chandra Bhattacharyya,
S/o Kamal Chitta Bhattacharyya,
Aged 72 years,
R/o Flat No.404, Block-1, Uma Apptt.,
Balua East, Garia Station Road,
PO Garia, Kolkata-700084.
60. Rathindra Nath Ghosh,
S/o Narendra Nath Ghosh,
Aged 74 years,
R/o F-3, Greewood Housing,
315B Upen Banerjee Road,
Parnasree, Kolkata-700060.
61. Niranjana Das,
S/o Nitai Pada Das,
Aged 73 years,
R/o FD-223/3, Salt Lake,
Sector-III,
Kolkata-700106.
62. Arabinda Ghose,
S/o Hari Pada Ghose,
Aged 78 years,
R/o FD-223, Flat No.5,
Salt Lake,
Sector-III, Kolkata-700106.

63. Rabindra Nath Padhi,
S/o Braja Mohan Padhi,
Aged 76 years,
R/o C-24, Manav Seva Nagar,
Seminary Hills,
Nagpur-440006.
64. D.K. Bhatt,
S/o U.D. Bhatt,
Aged 70 years,
R/o 57, Clay Square,
Lucknow-226001.
65. Bimalendu De,
S/O Bidhubhusan De,
Aged 73 years,
R/o 36/1, Tentulberia Anukul Chandra Road,
Garia Station,
PO Garia, Kolkata-700084.
66. V.N. Murty,
S/o V. Hanumantha Rao,
Aged 79 years,
R/o 12-2-822/A/2-4, Flat No.205,
Moghal Mast Aptt., Mehdiapatnam,
Hyderabad-500028.
67. Adhir Kumar Basu,
S/o B.N. Basu Majumdar,
Aged 73 years,
R/o 365-P, Majumder Road,
Kolkata-700078.
68. Smt. J. Meenakshi Murty,
(Family Pensioner),
W/o Late J.G. Krishna Murthy,
Aged 74 years,
R/o A/21, Steel & Mines Complex,
Srinagar Colony, Hyderabad-500073.
69. D. Vasudevan,
S/o Desikachari V.,
Aged 71 years,
R/o F-1, Anandraj Villa 7,
Second Canal Cross Road,
Gandhi Nagar,
Chennai-600020.

70. C.L. Rajendra Kumar,
S/o C.L. Setty,
Aged 74 years,
R/o G-014, Autumn Block,
Windsor Four Seasons,
Behind Meenakshi Temple,
B.G. Road,
Bangalore-560076.
71. Smt. K.S.M. Vani,
(Family Pensioner),
W/o Late K. Sreeramachandra Rao,
Aged 66 years,
R/o Flat No.1101, Asafjahi Towers,
Road No.10,
Banjara Hills, Hyderabad.
72. P.K. Ranganathan,
S/o P.S. Krishnamurthy,
Aged 73 years,
R/o Flat No.204, Signet Castle,
30/2, Valmiki Street,
Thiruvannamiyur,
Chennai-600041.
73. A. Rajagopalan,
S/o M. Ambalavanan,
Aged 77 years,
R/o C-5, Indira Devi Appth.,
18 Gopala Krishna,
St. T. Nagar, Chennai-600017.
74. Shiva Poojan Misra,
S/o P.N. Mishra,
Aged 75 years,
R/o C-1102, Indira Nagar,
Lucknow-226016.
75. P.N. Singh,
S/o Tara Chand Singh,
Aged 69 years,
R/o 19/357,
Indira Nagar,
Lucknow-226016.

76. A.K. Bhandari,
S/o P.G. Bhandari,
Aged 70 years,
R/o 1235, Sector A, Pocket B&C,
Vasant Kunj,
New Delhi-70.
77. Smt. Sunita Raghunnadan,
W/o Late K.R. Raghunandan,
(Family Pensioner),
Aged 78 years,
R/o 787, 7th Cross, N.C. Layout,
Vijayanagar,
Bangalore-560040.
78. Mohan Lal,
S/o Sheru Ram,
Aged 72 years,
R/o SR House, Lower Barnai,
PO Muthi,
Tehsil & Dist. Jammu-181205, J&K.
79. Dilip Kumar Chakrabarti,
S/o Dev Kumar Chakraborty,
Aged 74 years,
R/o Greenwood Housing Co-Op. Society,
315B, Upen Banerjee Road,
Kolkata-700060.
80. Vijay Singh Bapna,
S/o R.L. Bapna,
Aged 81 years,
R/o 2/199, SFS (HIG) Agarwal Farm,
Mansarovar, Jaipur.
81. Bhaskar Kanti Das,
S/o Binoy Bhusan Das,
Aged 71 years,
R/o Flat No.4, 234, Jodhpur Park,
Kolkata-700068.
82. H.M. Dayal,
S/o H.G. Dayal,
Aged 76 years,
R/o 36/1, Tej Bahadur Sapru Marg,
Lucknow-226001.

83. R.K. Chaturvedi,
S/o L.N. Chaturvedi,
Aged 70 years,
R/o 179, Indus Empire,
PO Trilanga,
Bhopal.
84. Y.K. Arora,
S/o Ram Lal Arora,
Aged 73 years,
R/o B-701, Trimurty Dave Aptt.,
C-22, Sawai Jaisingh,
Highway, Bank park,
Jaipur-302015.
85. Dr. Sharad Kumar Agarwal,
S/o R.K. Gupta,
Aged 75 years,
R/o 402, Tower B,
Vivarea Apptt.,
Nr. Jacob Circle,
Mahalaxmi,
Mumbai-400011.
86. Shaym Lal Mehera,
S/o Rup Lal Mehera,
Aged 80 years,
R/o DB-31, Flat III,
Sector-I, Salt Lake,
Kolkata-700064.
87. B.L. Jangi,
S/o Dina Nath Jangi,
Aged 74 years,
RaoR/o A-402,
Hare Krishna Housing Society,
Sector-45, Faridabad-121001.
88. Smt. Shashi Prabha,
W/o Late B. Shrikantan,
(Family Pensioner),
Aged 75 years,
R/o D-185, Braghu Marg,
Aapna Nagar,
F.No.102, Bani Park, Jaipur.

...Applicants

(By Advocate : Shri G. Natarajan)

Versus

1. Secretary,
Govt. of India,
Ministry of Mines,
Shastri Bhawan,
New Delhi-11001.
2. The Director General,
Geological Survey of India,
27, J.L. Nehru Road,
Kolkata-800016(WB).
2. Union of India through the
Secretary to the Govt. of India,
Department of Pension and Pensioners Welfare,
Ministry of Personnel, Public Grievances and
Pensions,
Lok Nayak Bhawan, Khan Market,
New Delhi-110003.
4. The Secretary to the Government of India,
Department of Expenditure,
Ministry of Finance,
North Block,
New Delhi-110001.

...Respondents

(By Advocate : Shri Satish Kumar)

II. OA No.1927/2016

1. Om Prakash,
S/o Lemu Lal,
Aged 72 years,
R/o House No.22,
Ward No.02, Muhalla-Dhobi Tola,
Beside Shiva Temple, Mahal No.03,
PO Danapur, Cantt. Police Station,
Danapur, Dist. Patna-801503.
2. T. Rajagopalan,
S/o T. Madhava Menon,
Aged 85 years,

R/o "Rajkiran" 15/733(2),
Kunnathur Medu,
Palakkad-678013.

3. Mrs. Usha Rani,
(Family Pensioner)
W/o Late Shri N. Subba Rao,
Aged 74 years,
R/o 12-1-331/112, Dattatreya Colony,
Ashif Nagar,
Hyderabad-500028.
4. T.V. Viswanthan,
S/o T.V. Venkateshwara Iyer,
Aged 76 years,
R/o 8/10, Madhavan Street,
Sunderambal Nagar,
Tambaram Sanatorium,
Chennai-600047.

...Applicants

(By Advocate : Shri G. Natarajan)

Versus

1. Secretary,
Govt. of India,
Ministry of Mines,
Shastri Bhawan,
New Delhi-11001.
2. The Director General,
Geological Survey of India,
27, J.L. Nehru Road,
Kolkata-800016 (WB).
3. The Secretary to the Govt. of India,
Department of Pension and Pensioners Welfare,
Ministry of Personnel, Public Grievances and
Pensions,
Lok Nayak Bhawan, Khan Market,
New Delhi-110003.
4. The Secretary to the Government of India,
Department of Expenditure,
Ministry of Finance,

North Block,
New Delhi-110001.

...Respondents

(By Advocate : Shri Satish Kumar)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

The applicants in these two OAs have retired as Deputy Directors General, in Geological Survey in India, at various stages up to the year 2005. They have filed these two OAs with a prayer to direct the respondents to apply the ratio of the judgment of the Patna High Court in ***M.M.P Sinha Vs. Union of India & Ors.*** CWJC No.10757/2010, and that of the Hon'ble Supreme Court in ***Union of India & Anr. Vs. SPS Vains (Retd.) & Ors.*** SLP (CIVIL) No. 12357 of 2006. Another direction sought by them is to fix their pension at Rs.37,850/-, in terms of the judgments referred to above and to grant notional promotion to S-30 Grade and re-fix the pensions w.e.f. 01.01.2006. Certain other reliefs are also claimed.

2. The respondents filed counter affidavit opposing the OA. It is stated that the pensions of the applicants were determined, in accordance with law, at the relevant point

of time and that the analogy drawn by them is totally untenable.

3. We heard Shri G. Natarajan, learned counsel for applicant and Shri Satish Kumar and Shri Subhash Gosain, learned counsel for respondents.

4. This is one of the rare cases in which the pleadings are extensive and elaborate. What, however, is lacking is the clarity as to the relief, which the applicants claim.

5. The applicants did not have any complaint, as regards the fixation of their pension, when they retired. In case there was any change of law subsequent to their pension, they were certainly entitled to claim the benefits. No such provision is cited, nor any precise relief is claimed. The applicants have undertaken elaborate discussion about certain judgments rendered by the Hon'ble Supreme Court and Patna High Court. It is not in dispute that the parties thereto are not the employees of Geological Survey of India. Day in and day out, hundreds and thousands of cases are filed by employees

of various departments, claiming reliefs under the relevant provisions of law. The relief granted in one case cannot be claimed by the persons belonging to other departments straightway. At the most, analogy can be drawn, if similar provisions are applicable to their service also. As the things stand now, everything is in the state of uncertainty. The applicants did not even make a representation ventilating their grievances. Obviously for that reason, there was no occasion for the respondents to put forward their point of view, succinctly.

6. Under these circumstances, we find it difficult to undertake adjudication. Even now, the applicants can precisely state the relief which they intend to claim by referring to the relevant provisions of law, which are applicable to the Geological Survey of India.

7. We, therefore, dispose of the OAs, leaving it open to the applicants to make a representation ventilating their grievances, if any, as regards the pensionary benefits being extended to them. If a representation is made in this behalf, the same shall be considered by the

respondents and orders be passed within a period of three months thereafter.

MAs, if any, stand disposed of.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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