

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR**

**Original Application No.200/0895/2019**

Jabalpur, this Friday, the 04<sup>th</sup> day of October, 2019

**HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER**

P.B. Wasnik (Retired Accountant)  
S/o Late Shri Balajee Wasnik  
Aged about 63 years  
R/o H.No.MIG-B-3 Beemakunj Parisar  
Kolar Road, Bhopal M.P. 462042

**-Applicant**

(By Advocate –**Ms. Neha Bhatia**)

**V e r s u s**

1. Union of India, Through its Secretary & IT  
Department of Posts Dak Bhawan Sansad Marg  
New Delhi 110001
2. Secretary to the Govt. of India Department of Pension &  
Pensioners' Welfare Ministry of Personnel Public Grievances  
& Pensions North Block New Delhi 110001
3. Department of Personal and Training through its Secretary  
Ministry of Personnel, Public Grievances & Pensions North  
Block Lok Nayak Bhawan Khan Market New Delhi 110 003
4. Chief Post Master General M.P. Circle 2<sup>nd</sup> Floor Dak  
Bhawan Hoshangabad Road, Bhopal 462012
5. Senior Superintendent of Post Office Bhopal Division,  
Bhopal (M.P.) 462003

**- Respondents**

**O R D E R (Oral)**

This Original Application has been filed by the  
applicant against the inaction of the respondent-

department, whereby the representation of the applicant 13.09.2018 (Annexure A/7) has not been decided.

2. The facts of the case is that the applicant was appointed as Postal Clerk with respondent No.4 on 04.07.1983 and was retired from the post accountant on 31.12.2015 on attaining the age of superannuation. After superannuation the retiral and pensionary benefits of the applicant were fixed treating him pre-2016 retiree. It was provided in O.M. that the revised pension/family pension w.e.f.01.01.2016 of pre-2016 pensioners/family pensioners shall be determined by multiplying the pension/family pension as had been fixed at the time of implementation of the recommendations of 6<sup>th</sup> CPC by a factor 2.57. It is further mentioned in the said resolution that a pensioner/family pensioner, who became entitled to pension/family pension w.e.f. 01.01.2016 consequent on retirement/death of Government servant on 31.12.2015, would be covered by these orders. Copy of resolution dated 04.08.2016 is annexed at Annexure A/4. As per

office memorandum issued on 12.05.2017 by respondent No.2, the revised pension w.e.f.01.01.2016 in respect of Central Civil Pensioners may be revised by notionally fixing their pay in the pay matrix recommended by 7<sup>th</sup> CPC in the level corresponding to the pay in the pay scale/pay band at which they retired. The same shall be applicable for pensioner who became entitled to pension w.e.f.01.01.2016 consequent on retirement on 31.12.2015.

Copy of memorandum is annexed at Annexure A/5. It has been submitted by the applicant that the similar relief has been granted by Principal Bench of this Tribunal in O.A. No.571/2017 dated 17.04.2016 (Annexure A-6) and the applicant is claiming all pensionary benefits viz. gratuity, fixation of pay/pension as per the recommendations of 7<sup>th</sup> Central Pay Commission vide representation dated 13.09.2018 (Annexure A/7). The said representation is still pending with the respondent-department.

**3.** Learned counsel for the applicant submits that the applicant would be satisfied if the competent authority of

the respondents may be directed to decide the said representation in a time bound manner in view of order passed by Principal Bench of this Tribunal in O.A. No.571/2017.

4. I am of the view that the prayer of the applicant is just and proper specially when his representation Annexure A/7 is pending before the competent authority. In view of this, respondents are directed to decide the applicant's representation dated 13.09.2018 (Annexure A/7) within a period of 60 days after receiving the copy of this Tribunal. Needless to say that this Tribunal has not gone into the merit of the case. The speaking and reasoned order shall be passed by the competent authority. The final order shall also be communicated to the applicant. In view of this, O.A. is finally disposed of at this admission stage.

**(Ramesh Singh Thakur)  
Judicial Member**

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