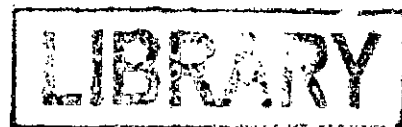


**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**



O.A. 350/00973/ 2019

Order dated: 08.08.2019

**Coram : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member**

Badal Chandra Roy, son of Late Chuni Lal Roy, aged about 75 years, ex-Postal Asstt., Middleton Row Post Office, Kolkata-700071; residing at Lenin Sarani, 3rd Lane, Vivekananda Palli, North Nimta, Paikpara, Kolkata – 700049.

.....Applicant.

Versus

1. The Union of India,
through the Secretary,
Ministry of Communications,
Dept. of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110001.
2. The Chief Post Master General,
West Bengal Circle,
Yogayog Bhawan, Kolkata-700012.
3. The Senior Superintendent of Post Offices,
Central Kolkata Division, Kolkata-700007.
4. The Senior Supdt. Of Post Offices,
North Presidency Division, Barrackpore,
Kolkata-700120.
5. The Accounts Officer,
(Pension/office of the General Manager (PA&F),
Kolkata, West Bengal Postal Circle,
Yogayog Bhawan, Kolkata-700012.
6. The Postmaster,
Belghoria HO, Kolkata-700056.
7. The Senior Postmaster,
Park Street H.O., Kolkata-700016.

..... Respondents.

For the applicant : Mr. N.Chatterjee, Counsel

For the respondents : Mr. P.Prosad, Counsel

hnd

ORDER (ORAL)

Per Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached the Tribunal praying for the following relief:

"i) to direct the respondents to make payment of commuted value of pension of Rs. 59/- allegedly showing to be paid on 28.12.2005 at the time of transferring PPO No. CA-52233 of the applicant issued by the Respondent no.5 herein vide No. P-498/03-04-11216 dated 08.02.2005 from Middleton Row Post Office, Kolkata-700071 to Udaipur Post Office, Kolkata-700049 against the representation of the applicant dated 30.08.2011 under Memo No. Pen-54/CA 52233/Sri B.C.Roy/dated 07.09.2011 issued by the Respondent No.7 herein; as contained in annexure "A-2" herein;

ii) to direct the respondents to revise the pension of the applicant in terms of recommendations of 7th CPC and acceptance thereof by the Government vide OM dated 06.07.2017 of the Deptt. of Pension & Pensioners' Welfare, Ministry of Personnel, P.G. & Pensions, Govt. of India under F.No.38/37/2016-P&PW(A) as contained in Annexure "A-3" herein w.e.f. 01.01.2016;

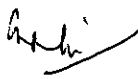
iii) to direct the respondents to deal with and/or dispose of the representation of the applicant dated 07/12/03.2019 as contained in Annexure "A-3" herein in its letter and spirit;

iv) to direct the respondents to produce the entire records of the case.....

v) And to pass such further order....."

2. Heard both Ld. Counsel, examined documents on record. Matter is taken up at the admission stage for disposal.

3. The submissions of the applicant, as made through his Ld. Counsel, is that the applicant had initially joined as Class-IV staff under West Bengal Postal Circle; promoted to the post of Postman and further promoted to the post of Postal Assistant, superannuating therefrom on 31.03.2004. The applicant received Commuted Value of Pension of Rs. 1038/-, and, thereafter, on his request, his PPO



was transferred from Middleton Row P.O. to Udaipur P.O. on 07.11.2011. While transferring the PPO, the Commuted Value of Pension, however, was shown as Rs. 1038/- on 07.04.2005 and as Rs. 59/- on 28.12.2005. Hence, a total pension of Rs. 1097/- was due to the applicant at the time of revision of pension in terms of 6th CPC. No such sanction order having been issued, however, the said amount of Rs. 59/- was reduced from his Commuted Value of Pension. Hence, the applicant has approached this Tribunal for release of Commuted Value of Rs. 59/- as recorded in the PPO and for revision of pension in terms of recommendations of 7th CPC.

Ld. Counsel for the applicant submits that the applicant has been representing since 07.03.2019 on non-payment of revised pension of pre-2016 pensioners, and, non-receipt of copy of the revised PPO but, that, the Respondent authorities have failed to respond to the said representation, and, that, the applicant would be fairly satisfied if a direction is issued on the competent Respondent authority to dispose of the applicant's representation in a time bound manner.

4. Ld. Counsel for the Respondents does not object to disposal of such representation in accordance with law.

5. Accordingly, without entering into merits of the matter, and, with the consent of the parties, we hereby direct Respondent No.2, who is the Chief Post Master General, West Bengal Circle, to examine the contents of the representation dated 07.03.2019 (annexed at Annexure-A/3 to the O.A.), if received at his end, within a period of twelve weeks from the date of receipt of a copy of this order. The concerned authority shall decide on the same in



accordance with law and convey the same in the form of a reasoned and speaking order to the applicant forthwith thereafter.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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