

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 180/00635/2017

Wednesday, this the 2nd day of August, 2017.

CORAM:

**HON'BLE Mr. U. SARATHCHANDRAN, JUDICIAL MEMBER
HON'BLE Mrs. P. GOPINATH, ADMINISTRATIVE MEMBER**

K.P. Mammed, 74 years,
S/o. K.P. Mohammed (late),
Ex-Erector (Construction Bharath,
O/o. Deputy Chief Engineer Construction, Nagpur,
South East Central Railway, Bilaspur.
Residing at Sabana Manzel Kizhilath, Puthalath (P.O),
Azhinikinakam via Faroke College – 673 632. - Applicant

[By Advocate Mr. P.A. Kumaran]

Versus

1. Union of India represented by the
Secretary to Government of India,
Ministry of Railways, New Delhi – 110 001.
2. The Chief General Manager,
South East Central Railway, Bilaspur – 495 001.
3. The Divisional Railway Manager,
South East Central Railway,
Nagpur Division, Bilaspur – 495 001.
4. The Senior Divisional Finance Manager,
South East Central Railway,
Nagpur Division, Bilaspur – 495 001.
5. The Senior Divisional Personal Officer,
South East Central Railway,
Nagpur Division, Bilaspur – 495 001.
6. The Senior Assistant Financial Adviser
(Pay and Pension), South East Central Railway,
Nagpur Division, Bilaspur – 495 001. - Respondents

[By Advocate Mr. Sunil Jacob Jose]

The application having been heard on 02.08.2017, the Tribunal on the same day delivered the following:

O R D E R (Oral):-

Per: Mr. U. Sarathchandran, Judicial Member

Heard Mr. P.A. Kumaran, learned counsel for the applicant.

2. Applicant has approached this Tribunal being aggrieved by the non-feasance of the respondents to re-fix his pension on the pay granted to him on financial upgradation under ACP. He is further aggrieved that his pension has not been revised in accordance with the recommendation of 6th CPC. It appears that the applicant has requested the respondents vide Annexure A-8 and A-9 representations for redressing his grievance but the same appears to have not been ventilated.

3. Learned counsel for the applicant submitted that the applicant may be permitted to file a detailed comprehensive representation to the respondents so that respondents can take a decision thereon in the light of Government of India order dated 06.04.2016 delinking of revised pension qualifying service from 33 years.

4. In the above circumstance, we dispose of this O.A at the admission stage itself with a direction to the respondents on the above lines and with a further direction that a decision to be taken on the comprehensive representation, if filed by the applicant within one month from today. If such representation is received, a decision thereon shall be taken by the competent authority of the respondents within a period of one month from the date of receipt of a copy of such a representation and the same shall be communicated to the applicant thereafter.

5. The Original Application is disposed of as above. No order as to costs.

(Dated, this the 2nd August, 2017.)

(Mrs. P. GOPINATH)
ADMINISTRATIVE MEMBER

(U. SARATHCHANDRAN)
JUDICIAL MEMBER

Annexures of Applicant

1. Annexure A-1 - A true copy of the original pension payment order of the applicant.
2. Annexure A-2 - A true copy of the revised pension payment order dated 18.01.2008.
3. Annexure A-3 - A true copy of the order No. 21/2008 dated 01.02.2008.
4. Annexure A-4 - A true copy of the service certificate of the applicant.
5. Annexure A-5 - A true copy of revised pension payment order No. NGP/Pen/Revision/442 BK-96/P-24 dated 19.06.2008 issued by 4th respondent.
6. Annexure A-6 - A true copy of the order Est AB/Con/NGP/NG Sett/E-37/2012 dated 16.10.2012 issued by the Deputy CE (Con) NGP SEC Railway.
7. Annexure A-7 – A true copy of the OM No. 38/37/08/P&PW(A) dated 06.04.2016.
8. Annexure A-8 - A true copy of the representation dated 18.03.2017 addressed to the respondents.
9. Annexure A-9 - A true copy of the representation dated 10.05.2017.
10. Annexure A-10 – A true copy of the letter dated 28.06.2017 issued by the 6th respondent.

Annexures of Respondents

NIL
