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CENTRAL ADMINISTRATIVE TRIBUNAL

ALL AHABAD BENCH, ALL AHABAD

Original Application No: 431 of 1988

S.V.R.Murty & Ors. .... .... Applicants.

Versus

Union of India through G.M.  
Central Railway, Bombay .... .... Respondents.

With

Original Application No: 836 of 1988

G.P.Dixit & Ors. .... .... Applicants.

Versus

Union of India & Ors. .... .... Respondents.

With

Original Application No: 837 of 1988

R.R.Soni & Ors. .... .... Applicants.

Versus

Union of India & Ors. .... .... Respondents.

With

Original Application No: 838 of 1988

Tulsi Ram & Ors. .... .... Applicants.

Versus

Union of India & Ors. .... .... Respondents.

With

Original Application No: 839 of 1988

B.M.Srivastava .... .... Applicants.

Versus

Union of India & Ors. .... .... Respondents.

Hon'ble Mr. S.Das Gupta, Member-A

Hon'ble Mr. T.L.Verma, Member-J

(By Hon'ble Mr. S.Das Gupta, Member-A)

Heard Shri S.K.Mishra, proxy counsel for  
Shri M.P.Gupta, for the applicant. None for the respondents.

2. Since the matter in dispute in all these O.A.s  
is the same, these are being disposed of by a common  
judgement with the consent of the counsel for both  
the parties.

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3. The applicants in these cases are all retired Railway employees. Some of them were working as Guards and others as Drivers. As they belong to the cadre of Running Staff, they were entitled to Running allowance, a percentage of which was to be reckoned for the purpose of pensionary and other benefits. The controversy in this case related to executive instructions issued by the Railway Board curtailing the said percentage. The order recorded on 6.8.1993 shows that counsel for the applicant stated that in identical case, the matter had been referred to the Full Bench for decision, and therefore, the case was adjourned for a long time.

4. We now find that the controversy in this case has since been decided by the Full Bench of the Tribunal in the leading case of C.R.Ranga Dhamaiyah & Others Vs. Chairman, Railway Board, New Delhi & Others. reported in (1994) 27 ATC (FB) 129.

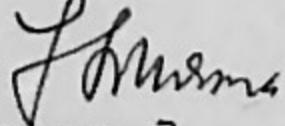
In its judgement, the Full Bench has upheld the decision of the Ernakulam Bench of this Tribunal on this controversy relating to curtailment of the percentage of the Running Allowances to be reckoned for pensionary and other benefits. The principles for determining the manner in which such percentage shall be regulated, have been laid down in the case of Ranga Dhamaiyah & Others.

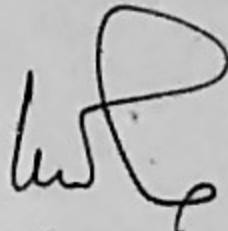
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5. In view of the above, we are of the opinion that no further hearing in this case is necessary and the eligibility or otherwise of the applicants to the percentage of Running Allowance for the purpose of retiral and other benefits shall be regulated by the principles already laid down. We, therefore, dispose of these applications with a direction to the respondents to determine the eligibility of the applicants in the Original Application before us in the light of the decision given by the Principle Bench in the case of Shri Ranga Dhamaiyah & Others. Let, this be done within a period of 6 months from the date of communication of this order.

  
Member-C

  
Member-A

Allahabad Dated: 1.7.1994

/jw/