

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA 486/99

Tuesday the 29th day of June 1999.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN  
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. A.Adhikaranathaiar  
Senior Accountant  
O/o the Accountant General (A&E), Kerala  
Thiruvananthapuram.
2. P.Premanandan,  
Clerk/Typist  
O/o the Accountant General  
Thiruvananthapuram.
3. E.K.Bhaskaran  
Clerk/Typist  
O/o the Accountant General  
Thiruvananthapuram.

...Applicants.

(By advocate Mr M.Rajasekharan Nayar)

Versus

1. Union of India represented by  
Secretary, Ministry of Defence  
New Delhi.
2. The Chief Controller  
Defence Accounts, New Delhi.
3. Accountant General (A&E)  
Thiruvananthapuram.
4. Branch Manager  
State Bank of Travancore  
Main Branch, Thiruvananthapuram.
5. Branch Manager  
State Bank of India  
Vadakara, Calicut.
6. Branch Manager  
State Bank of Travancore  
Quilandy.

...Respondents.

(By advocate Mr P.M.M.Najeeb Khan)

The application having been heard on 29th day of June 1999, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The applicants are re-employed ex-servicemen. Their grievance is that they are being denied the dearness relief on pension on the ground that they are re-employed. The applicants have, therefore, filed this application for a direction to respondents 1,2 and 4 to grant them the dearness

relief on pension during the currency of their employment and also to expedite decisions on Annexure A-3. The applicants have also prayed for an interim order that pending disposal of the application, the respondents be directed not to make any recovery from the pay and allowances of the applicants on the ground that the relief has already been paid from their pension. By order dated 28.4.99, the respondents were directed not to make any recovery from the pension of the applicants until further orders.

2. Today, when the application came up for hearing, counsel on either side agreed that the application may be disposed of with appropriate directions to the first respondent to take a final decision in the matter within a time frame and to keep in abeyance the proposed recovery of the amount already paid to the applicants.

3. In the light of the above submission by the learned counsel on either side, the application is disposed of directing the first respondent to take a final decision in the matter in the light of what is stated in Annexure A-2 dated 12.2.98 and the opinion of the Apex Court, as expeditiously as possible but at any rate not later than a period of six months from the date of receipt of a copy of this order. We also direct that till a final decision is taken by the first respondent, no recovery be made from the pay, & allowances or pension of the applicants on account of payment of relief made to them earlier.

There is no order as to costs.

Dated 29th June 1999.



G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

aa.

List of annexures referred to in this order:

A-2: True copy of the letter dated 12.2.98 issued by  
Dy.C.D.A(PD).