

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A No.50/94

Monday this the 4th day July, 1994.

CORAM:

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

P.K.Achuthan Nair,  
Electrician (SK),  
Office of the Asst. Garrison Engineer,  
Military Engineering Service,  
Kannur.

.. Applicant

(Advocate Mr.E.V.Nayanar)

vs.

1. The Union of India rep. by  
the Secretary to Govt. of India,  
Ministry of Finance,  
New Delhi.
2. The Controller of Defence Accounts (Pension)  
Allahabad.
3. The Sub Treasury Officer,  
Sub Treasury,  
Quilandy,Kozhikode Dist. .. Respondents

(By Advocate Mr.Sebastian rep. ACGSC)

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

Applicant seeks a direction to command respondents to restore Dearness Allowance and relief portion of pension due to him. Other ancillary reliefs are also sought. This Tribunal had occasion to consider similar contentions in O.A.1825/93, O.A.852/93 and other cases(1993) 25 ATC 789). I follow the decisions, and direct respondents to pay the applicant, relief on pension and dearness allowance. Arrears will be remitted to the Provident Fund Account of applicant and future instalments will be paid as and when they fall due. In the event of the Supreme Court confirming the decision in O.A.1825/93 etc. the amount credited to the Provident Fund will be disbursed to the applicant, if he so desires. In case the order

in O.A.1825/93 is set aside, such amount paid to applicant contrary to the decision will be repaid by the applicant to the respondents. Payment will be made within sixty days from today.

2. Application is allowed as above. No costs.

Dated the 4th July, 1994.

*Chettur Sankaran Nair*  
CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

njj/4.7