

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. Nos. 505/94, 841/94, 639/94

and O.A. No. 1457/94.

Tuesday this the 18th day of June 1996.

CORAM:

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

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

O.A. No. 505/94.

1. P. Peethambaran,
Branch Postmaster,
(Extra Departmental),
Vellayur Post Office,
Manjeri Division.

2. C. Mohammed,
Branch Postmaster,
(Extra Departmental),
Karippur Post Office,
Manjeri Division.

.. Applicants

(By Advocate Shri P. Santhoshkumar)

Vs.

1. Union of India represented by
the Director General (Posts),
New Delhi.

2. The Chief Postmaster General,
Kerala Circle,
Thiruvananthapuram.

3. The Superintendent of
Post Offices,
Manjeri Division,
Manjeri.

.. Respondents

(By Advocate Shri Bahuleyan for Shri TPM Ibrahim Khan, SCGSC)

O.A. No.841/94.

1. V. Parameswaran,
Branch Postmaster,
(Extra Departmental),
Vytancode Post Office,
Malappuram District.
2. M.K. Ramachandran,
Sub Postmaster,
(Extra Departmental),
Naduvattom Post Office,
Malappuram District. Applicants

(By Advocate Shri P. Santhoshkumar)

Vs.

1. Union of India represented
by the Director General(Posts)
New Delhi.
2. The Chief Postmaster General,
Kerala Circle,
Thiruvananthapuram.
3. The Superintendent of
Post Offices,
Tirur Division,
Tirur. Respondents

(By Advocate Shri K.S. Bahuleyan for Shri TPM Ibrahim Khan,
SCGSC)

O.A. No. 639/94.

206040 FLT - SGT
R. Gopinatha Kurup,
Ex-Branch Post Master,
Elakkamom,
(Via) Ayroor,
Varkala. Applicant

Vs.

1. Head Postmaster, Attingal,
2. Senior Superintendent of
Post Offices,
North Division,
Thiruvananthapuram.
3. Chief Postmaster General,
Kerala Circle,
Thiruvananthapuram.

4. Director General,
Department of Posts,
New Delhi.
5. Defence Pension Disbursing
Officer,
Thiruvananthapuram.
6. Union of India represented by
Secretary,
Ministry of Defence,
New Delhi.

.. Respondents

(By Advocate Shri K.S. Bahuleyan for TPM Ibrahim Khan, SCGSC)

O.A. 1457 of 1994.

K.S. Krishna Panicker,
Extra Departmental Branch
Postmaster, (EDBPM),
Neervilakam Post Office,
Chengannur,
Pathanamthitta District.

.. Applicant

(By Advocate Shri T.C. Govindaswamy)

Vs.

1. Union of India, represented by
the Secretary,
Ministry of Communications,
Department of Posts,
New Delhi.
2. The Chief Postmaster General,
Kerala Circle,
Trivandrum.
3. The Superintendent of
Post Offices,
Thiruvalla.
4. The Chief Controller of
Defence Accounts (Pension)
Allahabad.
5. The Manager,
Canara Bank,
Arammula,
Chengannur.

.. Respondents

(By Advocate Shri K.S. Bahuleyan for Shri TPM Ibrahim Khan,
SCGSC (R.1-4)

The applications having been heard on 18th June 1996,
the Tribunal on the same day delivered the following:

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicants herein were discharged from the Army and later appointed as Extra Departmental Branch Post Masters. Their complaint is that they were paid neither relief on pension, nor dearness allowance on salary (called allowance in the case of Extra Departmental Agents). Some of them were getting relief on pension and some of them opted for dearness allowance. Apparently, one cannot have both, and after the Supreme Court decision in Union of India and others Vs. G. Vasudevan Pillay and others (1995 2 SCC 32) relief on pension is not admissible. Dearnness allowance is a matter of entitlement. We declare that in the case of Extra Departmental Agents who are re-employed military pensioners, dearness allowance on salary (called basic allowance) will be admissible while relief on military pension will not be admissible. Payments will accordingly be made every month, and arrears will be paid within three months from today.

2. Applications are disposed of as aforesaid. Parties will suffer their costs.

Tuesday this the 18th day of June 1996.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN