

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.102/98

Tuesday, this the 16th day of March, 1999.

CORAM:

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

1. K.Vijayamma(PPO No.0604201841),  
Peon,  
Senior Divisional Accounts Officer's Office,  
Southern Railways,  
Trivandrum.
  2. N.Sailaja Nair(PPO No.0101200386),  
Peon,  
Senior Divisional Accounts Officer's Office,  
Southern Railways,  
Trivandrum.
  3. B.Rajalakshmi Amma(PPO No.1/Kerala/2021/77),  
Accounts Assistant,  
Senior Divisional Accounts Officer's Office,  
Southern Railways,  
Trivandrum.
  4. N.Vijayalakshmy(PPO No.NGP/PEN/1467/B-12/P-44),  
Senior Clerk,  
Divisional Railway Manager's Office,  
Southern Railway,  
Trivandrum.
  5. S.Rajalakshmy(PPO No.0604201098),  
Clerk,  
Divisional Railway Manager's Office,  
Southern Railway,  
Trivandrum.
  6. K.Vijayamma(S.B.A/c No.4468 SBI),  
Peon,  
Divisional Railway Manager's Office,  
Southern Railway,  
Trivandrum.
  7. Chellamma Varghese(PPO No.APDJ/PEN/S&T/42(F),  
Head Clerk,  
Divisional Railway Manager's Office,  
Southern Railway,  
Trivandrum.
- Applicants

By Advocate Mr M Rajagopalan

Vs

1. Divisional Personnel Officer,  
Southern Railway,  
Railway Divisional Officer,  
Trivandrum-14.
- Respondents

2. The Financial Advisor and  
Chief Accounts Officer,  
Southern Railway,  
Madras-1.
3. Union of India represented by  
the Secretary,  
Ministry of Railways,  
New Delhi.

- Respondents

By Advocate Mrs Sumathi Dandapani

The application having been heard on 16.3.99, the  
Tribunal on the same day delivered the following:

O R D E R

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

The applicants who are employed family pensioners were paid the dearness relief on family pension on the basis of an order of the Tribunal. Their apprehension is that on the basis of a ruling of the Apex Court, the respondents are likely to recover the relief on family pension already paid to them. Therefore they have filed this application praying for a direction to the respondents not to recover the dearness relief on family pension already paid to them.

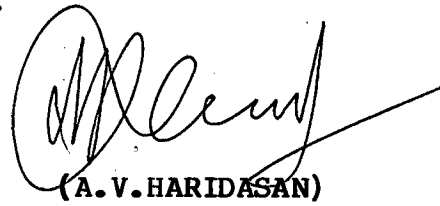
2. The respondents in their reply statement have refuted the averment that the respondents have recovered the relief on family pension. It has been stated in the reply statement that the respondents have not contemplated recovery of pension relief already paid to the applicants. Learned counsel for the respondents states that as the respondents do not propose to recover the relief on family pension already paid to the applicants, the application has become infructuous.

3. Taking note of the statement in the reply statement as also the submission of the learned counsel for the respondents that the respondents have not contemplated any steps to recover the relief

on family pension already paid to the applicants and that they do not propose to make any such recovery, the application is closed.

No costs.

Dated, the 16th of March, 1999.



(A.V. HARIDASAN)  
VICE CHAIRMAN

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