

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 2/94

Monday, the sixth day of June, 1994

HON'BLE MR. N. DHARMADAN (J)

HON'BLE MR. S. KASIPANDIAN (A)

G. Narayanan Nair
S/o Govinda Kurup
EDBPM, Vazhamuttom P.O.
Tharamel, Omallur

Applicant

By Advocate Mr. M.R.Rajendran Nair

vs.

1. Sr. Supdt. of Post Offices
Pathanamthitta

2. Union of India represented by
Secretary to Government,
Ministry of Communications
New Delhi

Respondents

By Advocate Mr. T.P.M.Ibrahim Khan, ACGSC

ORDER

N. DHARMADAN (J)

At the time when the case came up for final hearing it is submitted by the learned counsel for applicant that the case is covered by the judgment of this Tribunal in O.A. 610/88, O.A. 682/92 and O.A. 719/92.

2. Respondents have stated that they could not file any SLP against the decision of this Tribunal in O.A. 610/88; but in identical cases O.A. 682/92 and O.A. 719/92 Special Leave Petitions are pending before the Supreme Court and the judgment in those cases have been stayed.

3. Applicant filed this application under section 19 of the Administrative Tribunals' Act for a direction to grant him relief on military pension and D.A. on his allowances as EDBPM and also for a direction to respondents to draw and disburse the amount of D.A. with interest at 18% per annum.

4. This Tribunal in a number of similar cases allowed the prayer for grant of relief on military pension with appropriate direction. The stay order issued by the

Supreme Court applies only to the parties in those cases. However, the decision is binding on this Tribunal so long as it is not set aside, over-ruled or modified by the Supreme Court. The respondents have no case that the above directions are either set aside or modified till now.

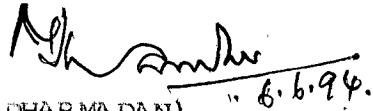
5. Accordingly, we follow our earlier judgments and declare that the applicant is entitled to relief on military pension and D.A. on his allowances as EDBPM. The directions shall be complied with within a period of four months from the date of receipt of this order.

6. The original application is allowed on the above lines.

7. There shall be no order as to costs.



(S. KASIPANDIAN)
MEMBER (ADMINISTRATIVE)



(N. DHARMADAN) 6.6.94.
MEMBER (JUDICIAL)

6.6.94

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