

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.132/2000

Friday this the 15th day of December, 2000

CORAM

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

1. K.M.Jose (TS/2812/EKM)
Chargeman II, Cochin Naval Base,
Cochin.4.
2. T.J.Poulose (TS/8588/EKM)
Highly Skilled Mechanic II
Cochin Naval Base, Cochin.4.
3. V.R.Krishnan Kutty (TS/12000/EKM)
Senior Foreman, Cochin Naval Base,
Cochin.4.
4. Francis Paul Padaman (TS/21963/TCR)
Highly Skilled Mechanic II
Cochin Naval Base, Cochin.4.

..Applicants

(By Advocate Mr. M.Rajagopalan)

V.

1. Union of India represented by
the Secretary, Ministry of Defence,
New Delhi.
2. Chief Controller of Defence Accounts,
(Pension), Allahabad.
3. Defence Pension Disbursing Officer,
Ernakulam, Perumanoor.
4. Defence Pension Disbursing Officer,
Trichur,Chembukavu.

...Respondents

(By Advocate Mr. Prasanthkumar)

The application having been heard on 15.12.2000, the
Tribunal on the same day delivered the following:

O R D E R

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

The prayers in the Original Application are
as follows:


Contd.....

- (a) Direct the respondents not to recover the Dearness Relief on Pension already paid to the applicants.
- (b) Direct the respondents to pay back the pension relief already recovered from the applicants so far.
- (c) To grant such other relief deem fit to this Hon'ble Tribunal

2. Learned counsel on either side state that identical OAs 623, 25, 26, 52, 103, 180, 208, 214, 87 and 300 of 2000 were disposed of by a common order dated 30.11.2000 directing the respondents to take a decision in the light of the orders of the Apex Court in Review Petition No.1002/95 in C.A.No.1809/93 within a period of six months from the date of receipt of the order and not to effect any recovery until the decision is taken and that this application may also be disposed of in the same line.

3. In the light of the submission of the learned counsel on either side, the application is disposed of directing the respondents that till a decision in the matter is taken in the light of the orders of the Hon'ble Apex Court in Review petition No. 1002/95 in C.A.No.1809/93 and communicated to the applicants, the recovery shall not be made from the pension relief of the applicants. No costs.

Dated the 15th day of December, 2000


A.V. HARIDASAN
VICE CHAIRMAN

/s/