

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCHO.A.NO.240/2005

FRIDAY THIS THE 2ND DAY OF DECEMBER,2005

CORAM

HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN

- 1 A.C.D'Silva,
Superintendent of Customs (Retd)
Shreyas,
Chittoor Road,
Ayyappankavu,
Cochin.18.
- 2 Alfred D'Souza,
Superintendent of Customs (Retd)
"Natasha", 45/90-1 Peter Correia Road,
Pachalam,
Cochin.12.
- 3 N.S.Divakaran Nair,
Preventive Officer (Retd.)
Kumari Nvias,
Eroor South PO
Tripunithura-682 306.Applicant

(By Advocate Mr. C.S.G.Nair)

V.

- 1 Union of India, represented by the
Secretary, Ministry of Personnel,
Public Grievances & Pension,
New Delhi.
- 2 The Commissioner of Customs,
Cochin.Respondents

(By Advocate Mr. P.M.Saji, ACGSC)

The Application having been heard on 2.12.2005, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN

The applicants in this Original Application are claiming the benefit of DCRG calculations as per Office Memorandum No.7/1/95-P&PW(F) dated 14.7.95(Annexure.A1). In the said O.M it was stipulated that all the Central Government Employees who retired or died on or after 1st April, 1995 would be eligible for the benefits thereon. This issue had been taken up to the Hon'ble Supreme Court and the Hon'ble Apex Court upheld the fixing of the cut off date and thereby the issue has become final now and only those who retired on or after that cut off date of 1.4.95 would be eligible for payment of DCRG at enhanced rates. The applicants herein retired on 31.7.94, 1.2.95, 1.7.94 respectively, Hence they are not eligible for the benefit of the referred to above. Accordingly the reliefs prayed for by the applicant cannot be granted. Hence the Original Application is dismissed. No costs.

Dated this the 2nd day of December, 2005

Sathi. Nair
SATHI NAIR
VICE CHAIRMAN

S.