

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.345/2005

Friday this the 2nd day of December 2005

C O R A M:

HONBLE SMT.SATHI NAIR, VICE CHAIRMAN

- 1 R.Mallikarjunan, S/o late S.Raju, Retired Chargeman,
Production Control Organisation, Signal & Telecommunication
Workshop, Podannur, Palghat, residing at No.3, Sree Sakthi
Illom, Sakthi Nagar, Podannur, Coimbatore Distt.
- 2 A.Vasudevan, S/o late Ayya Swami Iyer, Retired Fitter Gr.I
Signal & Telecommunication Workshop, Podannur,
Southern Railway, Palghat, residing 2/265-C, Anna Nagar,
MGR Nagar Extension, Podannur, Coimbatore Dist.
- 3 V.V.Gopidas, S/o V.Vasavan, retired Lab Superintendent
Grade-I, Railway Hospital, Palghat, residing at 'Ambadi'
Near HSHS, Sree Durga Nagar, Kallekulangara, Palghat.
- 4 P.Vasudevan, S/o late P.Narayanan, retired Train Examiner/
MTP, Southern Railway, Palghat, residing at Pallath House
Vellinazhi P.O, Palghat.
- 5 K.V.Chidambaranathan, S/o late K.V.Venkitachala Iyer
Retired Senior Signaler, Railway Telegraph Office, O/o
the Divisional Operating Manager, Southern Railway,
Palghat, R/o Vidyagiri, Plot No.51, Railnagar,
Olavakkode, Palghat.
- 6 K.Ramakrishnan, S/o late K.Karunakaran Nair, Retired
Goods Guard, Southern Railway, Palghat, residing at
Purayath House, Mankara, Palghat.
- 7 C.Subbian, S/o late Chenniappan, Retired Carriage
& Wagon Fitter, Southern Railway, Coimbatore, residing
at 376, Railway Quarters, Camp Area, Podannur,
Coimbatore Dist.

Applicants

(By Advocate Mr.Shafik M.A)

Vs.

- 1 Union of India represented by Secretary to the Govt
of India, Ministry of Railways, Rail Bhavan, New Delhi.
- 2 The Additional Secretary(Pensions) Ministry of Pensions
& Pensioner's Welfare, Lok Nayak Bhavan, Khan Market
New Delhi - 110003.

- 3 The General Manager, Southern Railways Headquarters
Office, Chennai.
- 4 The Senior Divisional Personnel Officer, Southern
Railways, Palghat Division, Palghat.

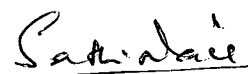
Respondents

(By Advocate Ms.P.K.Nandini)

ORDER

Applicants in this O.A have prayed for the payment of difference of DCRG amount alleged to be payable taking into account the instructions issued by the Ministry of Finance OM dated 8.8.95 (Annx.A2). No reply has been filed by the respondents. When the matter came up it is submitted by the counsel for the respondents that the issue has already been settled by the Hon'ble Supreme Court which has up-held the cut off date prescribed in the above mentioned OM. It implies that only the Central Govt employees who died or retired on or after 1995 are eligible for the benefit of this OM. All the applicants in this case admittedly have retired in the year 1994 i.e. before the cut off date of 1.4.95, hence, they are not eligible for deriving the benefit of this OM. Therefore, the relief prayed for by the applicants in this O.A cannot be granted. The O.A is dismissed.

kkj


(Sathi Nair)
Vice Chairman