

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.345/2005

Friday this the 2nd day of December 2005

C O R A M:

HON'BLE SMT.SATHI NAIR, VICE CHAIRMAN

- 1 R.Mallikarjunan, S/o late S.Raju, Retired Charge man, 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 Sognal & 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, Palaghat, 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, Paighat.
- 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)

O R D E R

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 (Annex.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.

Sathi Nair
(Sathi Nair)
Vice Chairman

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