

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.388/2002

Thursday this the 13th day of June, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

1. M.C.Mathew S/o Chacko,
Branch Post Master,
Anikkad East BPO,
residing at Moongamackal,
Anikkad East PO,
Kottayam District.
2. G.Krishnan Kutty,
S/o Pappu, Branch Post Master,
Kuttamangalam BPO,
residing at Sindu Bhavan,
Kuttamangalam, Kainagari
Alappuzha.Applicants

(By Advocate Mr.MR Rajendran Nair (through Mr.Kumaran)

1. Union of India, represented by
the Secretary to the Ministry of
Communications,
Department of Posts, Dak Bhavan,
New Delhi-1.
2. Post Master General, Office of the
Post Master General,
Kerala Circle,
Trivandrum.33.
3. The Superintendent of Post offices,
Alappuzha Division,
Alappuzha.
4. The Superintendent of Post Offices,
Changanacherry Division,
Kottayam.Respondents

(By Advocate Mr.M.Rajendrakumar)

The application having been heard on 13.6.2002, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicants are re-employed Ex-Servicemen.

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Their grievance is that even though as per O.M.dated 26.7.99 issued by the Government of India, Ministry of Personnel, Public Grievances and Pension, Department of Pension and Pensioners Welfare, they are eligible to receive Dearness Relief on their pension with effect from 18.7.97, the respondents are not granting them the benefit. Therefore, they have filed this application for a declaration that the applicants are entitled to draw the Dearness Relief permissible to them as per Annexure.A1 and for a direction to the respondents to implement the benefit of Annexure.A1 circular to the applicants and to draw and disburse the Dearness Allowance due to them with effect from 18.7.1997 with interest at the rate of 18%.

2. When the application came up for hearing today, learned counsel of the respondents Shri Rajendra Kumar suggested that the application may be disposed of directing the respondents 1 to 4 to consider the eligibility of the applicant for Dearness Relief on pension with effect from 18.7.97 and to take a decision forthwith and also to make available to them the monetary benefits flowing therefrom in case they are found entitled.

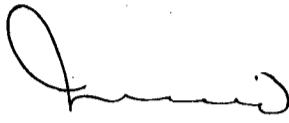
3. Learned counsel of the applicants also states that the applicants would be satisfied if such a direction is given.

4. In the result, in the light of the submission of the learned counsel on either side, the application is disposed of directing the respondents 1 to 4 to consider the claim of the applicants' eligibility to receive the dearness relief on pension on the basis of Annexure.A1

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and to communicate a decision in that regard within one month from the date of receipt of a copy of this order and also to make available to them monetary benefits if any arising from that decision within a period of one month thereafter. No order as to costs.

Dated the 13th day of June, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

(s)

APPENDIX

Applicant's Annexures:

1. A-1 : True copy of the Circular No.18/99-Pen No.4-39/99 Pen dated 26.7.99 issued by the 1st respondent.
2. A-2 : True copy of the representation submitted by the 2nd applicant dated 28.1.2000 before the 3rd respondent.

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14.6.02