

(30)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 52/89 & 844/90
Transfer Application No.

Date of Decision : 5/7/95

A.Narayanan Nair & Ors.

Petitioner

V.B.Tare

SShri S .Natarajan

Advocate for the
Petitioners

Versus

Union of India & 4 Ors.

Respondents

Union of India & 3 Ors.

Shmi Suresh Kumar for Shri M.I.Sethna

Advocate for the
respondents

C O R A M :

The Hon'ble Shri B.S.Hegde, Member(J).

The Hon'ble Shri P.P.Srivastava, Member(A)

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?

B.S. Hegde
(B.S. HEGDE)
MEMBER(J)

(31)
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

In O.A. 52/89

A. Narayanan Nair & Ors. ... Applicants.

V/s.

Union of India & 4 Ors. ... Respondents.

In O.A. 844/90

V.B.Tare ... Applicant.

V/s.

Union of India & 3 Ors. ... Respondents.

CORAM : Hon'ble Shri B.S .Hegde, Member(J).

Hon'ble Shri P.P.Srivastava, Member (A).

APPEARANCE:

Shri S.Natarajan, Counsel
for applicants.

Shri Suresh Kumar for
Shri M.I.Sethna, Counsel
for Respondents.

ORAL JUDGEMENT:

DATED : 5/7/95.

¶ Per Shri B.S.Hegde, Member(J). ¶

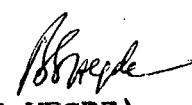
Heard the argument of the Learned Counsel
Shri Natarajan and Shri Suresh Kumar for Shri M.I.Sethna.

During the course of hearing we were told by
the Counsel that the subject matter of the issue is
squarely covered by the recent Supreme Court decision
in Union of India V/s. G.Vasudeva Pillay & Ors
delivered on 8/12/94 wherein the Apex Court laid
down the ratio that Dearness Relief on Pension and
Pension on re-employment denial of the same on pension
to the ex-servicemen on their re-employment on
civil post is justified. The Learned Counsel
for respondents Shri Suresh Kumar draws our attention
that the relief claimed by applicants are that they
are entitled to exercise their option to come under
the scheme of fixation envisaged in terms of letter
dated 8.2.1983. To this, the applicants Counsel

Shri Natarajan states that this OA was filed on the basis of the decision of Ernakulam Bench which has been decided by the aforesaid judgement of the Supreme Court. Therefore he is not pressing for the aforesaid relief; whereas he states that in view of the Supreme Court decision if anything is due from 1/1/86, the benefit of the same may be given to applicants. Accordingly the respondent is directed to abide by the decision of the Apex Court in finalising the case of the applicants.

2. In the light of the above, nothing survives both the in the OA and OA stands disposed of.


(P.P. SRIVASTAVA)
MEMBER (A)


(B.S. HEGDE)
MEMBER (J)

abp.