

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

(10)

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 OAs and OA stands disposed of.

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(P.P.SRIVASTAVA)
MEMBER (A)

1000/-
(B.S.HEGDE)
MEMBER (J)

abp.