

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 22 APR 1994

APPLICATION NUMBER:

660/94

APPLICANTS:

M.R. Mundinamani
To. and others

RESPONDENTS:

Secretary, Ministry of
Railways, Union of India and
Others

- 1) Shri M.S. Anandaramu, Advocate
No. 27, Chandrashekar Complex,
1st floor, 1 Main, Gandhinagar,
Bangalore-9.
 - 2) The Secretary, Ministry of Railways,
Union of India, Rail Bhavan, New-Delhi.
 - 3) The Chairman, Railway Board,
Rail Bhavan, New Delhi.
 - 4) The General Manager, Southern Railways,
Park Town, Madras.
 - 5) The General Manager, South Central Railway,
Secunderabad, Andhra Pradesh.
 - 6) The Divisional Personnel Officer,
Southern Railways, Bangalore Division, Bangalore
 - 7) The Divisional Personnel Officer, South Central Railway,
Hydli
 - 8) Shri A.N. Venugopal, Advocate, 8/2, upstairs, R.V. Road, Block 4
- Subject:- Forwarding of copies of the Orders passed by the
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above
mentioned application(s) on 8.4.1994

Issued on
22/4/94
R

O/c

for S. S. Shannar
DEPUTY REGISTRAR
JUDICIAL BRANCHES. 22/4

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH:

O.A. NO. 660/94

FRIDAY THIS THE EIGHTH DAY OF APRIL 1994

Shri Justice P.K. Shyamsundar ... Vice-Chairman

Shri T.V. Ramanan ... Member [A]

1. M.R. Mordinamani,
S/o Rangappa,
Aged 68 years,
Retired Guard-A,
South Central Railway, Gadag,
& residing at House No.17/1,
Thabib Land,
Maluade Chawl,
Hubli.
2. G.Ch. Subbarao,
S/o G. Subbarao,
Aged 66 years,
Retired Guard-B,
South Central Railway, Gadag &
R/a Near Old NCC Office,
Masari, Gadag-582 101.
3. S.V. Kanvi, S/o Venkatesh,
Aged 67 years,
Retired Guard-A Spl.,
South Central Railway, Hubli &
R/a J.T. College Road,
Near Ganapathi Temple,
Gadag-582 101.
4. M.R. Sankanur,
S/o Rajasab,
Aged 65 years,
Retired Guard-B,
South Central Railway, Hubli
Residing at Sri Rajivgandhinagar,
Near Hatalageri Naka,
Gadag-582 101.
5. Yeshwanth Shet, Kerkar S/o
Y.M. Shet, Aged 72 years,
Retired Guard-A, U.T. 889,
South Central Railway,
Pune, residing at C/o S. James,
Plot No.27, Nehrunagar Extension,
Hubli.
6. Sheik Fareed S/o Sheik Babu,
Aged 66 years,
Retired Guard-A Spl.,
South Central Railway, Hubli and
R/a Shivakrupa Building
Kulkarni Hakkal, Thabib Plot,
Moulvi Road, Hubli-20.



7. Parvathappa B. Tongle,
S/o Basalingappa,
Aged 67 years,
Retired Asst. Guard, EM 5145,
South Central Railway, Hubli
and residing at Tongle Chawl,
Pagadi Galli, Hubli.
8. Abdul Khader Siddiq,
Retired Driver A, South
Central Railway,
Hubli since deceased
represented by his wife Smt.
Ameenabi, aged 50 years,
R/a C/o M.M.Tegur,
Nehrunagar, Alnawar, Dharwad
district-58 11 03.
9. Krishan Thukaram,
Retired Shunter-B, S.C.Railway,
Gadag, aged about 55 years,
R/a Boregar Galli,
Bettageri,
Dharwad District.
10. Vittal Sravanna Pujar,
Retired Passenger Driver,
South Central Railway,
Gadag since deceased
by his wife Smt. Shivaningavva,
Aged about 50 yers,
R/a New Padanur, Indi Tk,
Bijapur District.
11. Mohamed Dastageer Jhani Sahib Shaik,
S/o Jhani Sahib Shaik,
Aged 64 years,
Retired Guard-A Special,
S.C.Railway, Hubli &
residing at No.49/5, Dutagi Owni
Near Kannar Hospital, Fort,
Old Hubli.
12. M. Chandra Bhan Singh,
Retired Guard A,
Southern Railways,
Bangalore City, since
deceased represented by his
legal representtve Smt. Lakshmi Bai, aged about
50 years, residing at No.64/6,
Opp, Malleswaram Railway Station,
Maruthi Extension,
Bangalore-21.
13. T. Sinddalingappa
S/o Thota Shetty,
Aged 63 yers,
Retired Mail Guard, EMT 436,
Bangalore City, R/a No.1091, 11th Main
10th C-Cross, West of Chord Road,
II Stage, Bangalore.

14. T.M. Subbarna S/o late T.N. Madappa, Aged 64 years, Retired Passenger Guard, EE 1168, Southern Railways, Bangalore City & R/a No.314, 5th Main, BEML Layout, Basaveswaranagar, Bangalore-79

... Applicants

By Advocate Shri M.S. Anandaranu

v.

1. Union of India rep. by its Secretray, Ministry of Railways, Rail Bhavan, New Delhi.
2. The Chairman, Railway Board, Rail Bhavan, New Delhi.
3. The General Manager, Southern Railways, Park Town, Madras.
4. The General Manager, South Central Railway, Secunderabad [AP].
5. The Divisional Personnel Officer, Southern Railways, Bangalore Division, Bangalore.
6. The Divisional Personnel Officer, South Central Railway, Hubli.

... Respondents

By Advocate Shri A.N. Venugopal, Standing Counsel for Railways

ORDER

Shri Justice P.K. Shyamsundar, Vice-Chairman:

1. We have heard Shri A.N. Venugopal who appears for the Railway Administration. This case is covered by the Full Bench judgment rendered in O.A. No.395 to 403/91 C.R. RANGADHAMAIAH AND OTHERS V. CHAIRMAN, RAILWAY BOARD AND OTHERS reported in 1994[1] ATJ 305. In that view of the matter all that we should do is to

make the following order which will be in tune with the orders passed in the case of Rangadhamaiah and others supra. Hence it is we make the following order:

- [1] The respondents shall recompute the pension and other retiral benefits of the applicants or their LRs in accordance with Rule 2544 as was in force before it was amended by Notification dated 5.12.1988;
- [2] the arrears due to the applicants/LRs on the basis of the recomputation as aforesaid shall be calculated and paid;
- [3] These directions shall be carried out within a period of three months from the date of receipt of the copy of this order;
- [4] If the amounts due to the applicants/LRs are not paid within the prescribed time, the amounts due shall be paid with interest at 12% per annum from the date of this order till the date of payment;
- [5] The payment of pension and retirement benefits as per the aforesaid directions shall stand regulated/adjusted in accordance with the orders/directions as may be issued by the Supreme Court in SLP No.10373 of 1990 against the decision of the Ernakulam Bench of this Tribunal in Application No.K--269/88.
- [6] No costs.

We direct a copy of this order be furnished to each of the respondents in this application as Shri Venugopal says that if everyone of them is not supplied with a copy of this order the implementation thereof will be difficult. It is so ordered accordingly.

Sd/-
MEMBER [A]

Sd/-
VICE CHAIRMAN

TRUE COPY

Sd/-
2/9

CENTRAL ARCHIVE
ADDITIONAL CLERK
BANGALORE

Enter in SLP Register, O.A. Register,
add to file & note. Thereafter to
a copy of this with a copy of O.A.
order as per R. 1430 of R.O.P. '93.

SECTION--I VA

FROM: ASSISTANT REGISTRAR

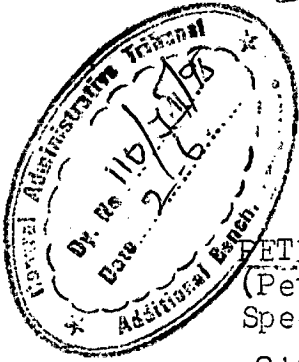
D. NO. 2770/95/S.IVA

SUPREME COURT OF
INDIA NEW DELHI

DATED:- 16th May, 1995

TO

THE REGISTRAR
Central Administrative Tribunal,
Bangalore Bench at Bangalore.



PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 11325 OF 1995
(Petition under Article 136 of the Constitution of India for
Special Leave to Appeal from the Judgment and Order dated
8th April, 1994 of the Central Administrative Tribunal
Bangalore in O.A. NO. 660 OF 1994.

Union of India & Ors.

.....Petitioners

Versus:

M.R. Mundinamani & Ors.

... Respondent s

Sir,

I am directed to forward herewith a certified copy of the Order of this Court dated 4th May, 1995 passed in the matter above-mentioned, for your information and necessary action.

* Please acknowledge receipt.

Yours faithfully,

H. Sadler
24 Nov

A SSI STANT REGISTRAR

Copy to:-