

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Dated:- 20 APR 1994

APPLICATION NUMBER: 739 of 1994.

APPLICANTS:

Sri.D.Vasaiah and 17 Others v/s. Secretary, Ministry of Railways,
To. New Delhi and Others.

RESPONDENTS:

1. Sri.M.S.Anandaramu, Advocate, No.27, First Main Road,
Chandrasekhar Complex, Gandhinagar, Bangalore-9.
2. Sri.A.N.Venugopala Gowda, Advocate, No.8/2, Upstairs,
R.V.Road, Opp: Bangalore Hospital, Bangalore-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 12th April, 1994.

Issued on
21/4/94

R.

gm*

of

for *[Signature]*
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

(52)

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

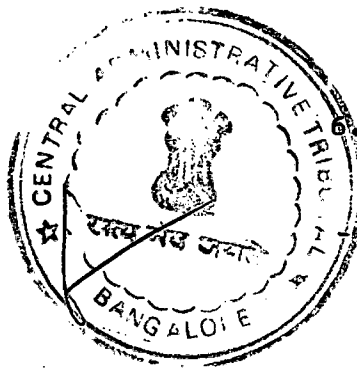
ORIGINAL APPLICATION No.739/94.

TUESDAY, THIS THE 12TH DAY OF APRIL, 1994

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

SHRI T.V. RAMANAN .. MEMBER (A)

1. Sri D. Vasailah,
S/o Devaraiah,
aged about 59 years,
formerly working as Driver Goods
ML1372, Harihar, Southern Railways
and residing at No.277, Dewan's Road,
Chamaraja Mohalla, Mysore-24.
2. C. Muniraj,
S/o C. Muniswamy
aged about 60 years,
formerly working as Shunter MR 678,
Southern Railways, Byappanahalli,
Bangalore and residing at
No.13, 8th Cross, Mariamman Temple
Street, Vasanthanagar, Bangalore-52.
3. G. Nateshan
S/o M. Govindan,
aged about 64 years,
formerly working as Shunter MR 693,
Southern Railway, Baiyappanahalli and
residing at C/o N. Sadhasivan,
No.144/B, Rly. Quarters, Benson Town Post,
Bangalore-Cantonment.
4. Narayani
S/o Thippa Reddy,
aged about 69 years,
formerly working as Shunter,
Arsikere, Southern Railways,
residing at C/o N. Rangareddy,
No.9/97, Mudaliar Street, Arsikere.
5. Makdum Sheriff,
S/o F.S. Mohamed Sheriff,
aged about 66 years,
formerly working as Guard Passenger
EMT 1050, Southern Railway, Mysore
and residing at No.1778, 6th Main Road,
9th Cross, RPC Layout, Vijayanagar, East,
Bangalore-40.
6. Dhanapal,
S/o Muniswamy,
aged about 66 years,
formerly working as Driver Mail-MR 86
Arsikere, Southern Railway and
residing at No.39/5, 6th Main Road,
Adjacent to Mask Road, Palace Guttahalli,
Bangalore-3.



... Applicants

7. Smt. Renuka Bai,
aged about 46 years,
w/o late K. Krishnoji Rao,
formerly working as Shunter,
Southern Railway, Bangalore City
and residing at 12th Cross,
Down Magadi Road, Behind Gayathri
Flour Mills, Bangalore-23.
8. Smt. Ganga Bai,
aged about 49 years,
w/o late V.N. Jayaram,
formerly working as Shunter,
Arsikere, Southern Railway and
residing at m/o J. Venugopal,
C/o Heeramull and Sons, No.61,
Commercial Road, Ooty-643001.
9. Perumal,
S/o Balakrishna,
aged about 67 years,
Mail Driver MR 445, Retd.,
Mysore, Southern Railway and
residing at No.103/B, Railway
Loco Colony, Yadavagiri Post,
Mysore-570 020.
10. Ruttahasavaiah,
S/o Rachaiah,
aged about 67 years,
formerly working as Driver Goods MR 849,
Harihar, Southern Railway and residing
at Dr. Ambedkar Street, Ramasamudra
Chamaraja Nagar Town, Pin 571 313.
11. T.S. Ramakrishnan,
S/o D. Subramania Ayyar,
aged about 69 years,
formerly working as Guard/Spl-A/SBC
Staff No.(Exsi)2257, Bangalore City,
Southern Railway and residing at
C/o Sri T.R. Ravi, M.Sc., No.82-C,
Narayana Pillais (KHMS Colony,
Peramanur, Salem-636 007.
12. Nanjappa,
S/o Vijayanna,
aged about 60 years,
formerly working as Guard Passenger EMF 1011,
Southern Railway, Arsikere, and residing at
No.6, S-Kannappa Lane, Kumbarpet, Bangalore-2.
13. Abdul Rahman,
S/o Shaik Tippu,
aged about 70 years,
formerly working as Guard-A Spl. EE 431,
SBC, Southern Railway and residing at
No.6, S-Kannappa Lane, Kumbarpet, Bangalore-2. ... Applicants

14. K.N. Venkataramana Raju,
S/o Narasimharaju,
aged about 69 years,
formerly working as Guard Passenger EE 564
Chicjajur, Southern Railway and residing
at No.1611/3, 4th T-Block, 16th Main,
40th-A Cross, Jayanagar, Bangalore-41.
15. Smt. M.K. Amsaveni,
aged about 52 years,
w/o late K.M. Krishnamurthy,
formerly working as First Fireman MR 645
Southern Railway, Arsikere and residing
at No.68/1, Muniswarappa Building,
B.H. Road, Arsikere-573 103.
16. Smt. A. Irudaya Marie,
aged about 65 years,
w/o late D.P. Anthuseelan,
formerly working as Shunter, Bangalore
Cantonment, Southern Railway and
residing at C/o James, No.139/K, Railway
Qtrs, Yeswanthapur, Bangalore-560 022.
17. Smt. Munna Bai,
aged about 59 years,
w/o late B. Madan Singh,
formerly working as Driver Passenger,
Mysore, Southern Railway and residing
at No.534, 11th Cross, Gokulam Exts.,
III Stage, Mysore-2.
18. Smt. Sharadamma,
aged about 63 years,
w/o late R. Chinnaswamy,
formerly working as Driver Passenger,
Shimoga Town, Southern Railway and
residing at C/o C. Ravindran, No.222,
R.S. Road, Hanchekere, Kengeri,
Bangalore-60.

... Applicants

(Applicants in Sl.Nos.7,8,15,16,17 and 18 are
L.Rs of the deceased Railway Employees).

(By Advocate Shri M.S. Anandaramu)

Vs.

1. The Union of India,
represented by its Secretary,
Ministry of Railways, Rail Bhavan,
New Delhi.
2. The Chairman,
Railway Board,
Rail Bhavan, New Delhi.

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(55)

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3. The General Manager,
Southern Railways,
Park Town, Madras.
4. The Divisional Personnel Officer,
Southern Railways, Mysore Division,
Mysore.
5. The Divisional Personnel Officer,
Southern Railway, Bangalore Division,
Bangalore.

... Respondents

(By Advocate Shri A.N. Venugopal)
Standing Counsel for Railways

O R D E R

Shri Justice P.K. Shyamsundar, Vice Chairman:

Heard both sides. This case is actually covered by the order of the Full Bench rendered in C.R. Rangadhamaiah & Others Vs. Chairman, Railway Board & Others (O.A.No.395 to 403/1991 decided on 16.12.1993). Following the same, we make the following order:

- (1) The respondents shall recompute the pension and other retiral benefits of the applicants or their L.Rs 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/L.Rs 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 a copy of this order.
- (4) If the amounts due to the applicants/L.Rs 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.

(56)

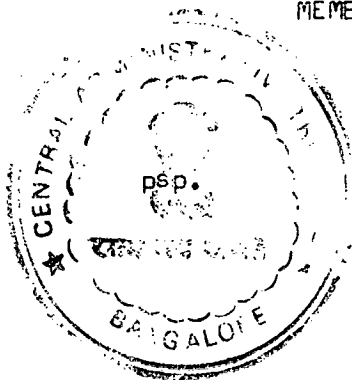
- 5 -

(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 S.L.P. No.10373 of 1990 against the decision of the Ernakulam Bench of this Tribunal in Application No.K-269/88.

(6) No costs.

Sd/-
(T.V.RAMANAN)
MEMBER(A)

Sd/-
(P.K.SHYAMSUNDAR)
VICE CHAIRMAN



TRUE COPY

Sd/-
SECTION OFFICER 20/4
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

(57)

D. NO. 3365/95/S.IV/K
SUPREME COURT OF INDIA
DATED : 20th July, 1995

FROM :

The Additional Registrar,
Supreme Court of India,
NEW DELHI

Recd as Regd parcel No 490.

To :

The Registrar, ~~High Court of Karnataka~~ Central Administrative Tribunal
Bangalore Bench at Bangalore -

CIVIL APPEAL NO. 5607 OF 1995

Union of India & Ors.

-versus-

D. Vasaiah & Ors.

Sir,

I am directed to forward herewith for your information and record a certified copy of each of the Petition for Special Leave to Appeal filed by the Appellant above-named in this Registry on the 22.11.1994 and taken on record as Petition of appeal pursuant to this Court's Order dated the 10.5.1995 (Certified copy of Court's Proceedings enclosed) granting Special Leave to Appeal to the Appellant above-named from the Judgment and Order dated the 12.04.1994 of the Central Administrative Tribunal, Bangalore Bench in O.A. No. 739/94.

R
14/8/95. H. check the papers.

Retain a copy of
lodgement of petition of appeal
for our record. Enter in

...Appellants SLP Register, main Register,
Add to file & note.

...Respondents ~~PP Upto 98~~
pp 35 to 59 in Copies meant for respondents
to be made & kept for file.
Notices to issue. Cert &

Record to
be sent
later

K
14/8/95
So/SII
14/8/95
Sri B

1 to 18

and transit to this Court

the Appeal record

D. N. Lakshminarayana

ASSISTANT REGISTRAR