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CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
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Original Application No: 1275/94.

Transfer Application No:

DATE OF DECISION: 27/1/95

M.B.Kulkarni & Ors. Petitioner

Karkera Advocate for the Petitioners

Versus  
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Union of India & Ors. Respondent


R.K.Shetty Advocate for the Respondent(s)

CORAM :  
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The Hon'ble Shri B.S.HEGDE, MEMBER (J)

The Hon'ble Shri

1. To be referred to the Reporter or not ? Y
2. Whether it needs to be circulated to other Benches of the Tribunal ?

  
(B.S.HEGDE)  
MEMBER (J)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BOMBAY, BOMBAY.

O.A.1275/94.

M.B.Kulkarni & Anr.

... Applicant.

V/s.

Union of India & Ors.

... Respondents.

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

APPEARANCES:

Shri Karkera - Counsel for  
Applicant.

Shri R.K.Shetty - Counsel  
for Respondents.

ORAL JUDGMENT:

DATED : 27/1/95.


¶ Per Shri B.S.Hegde, Member(J) ¶

Heard the Learned Counsel for applicant.  
The respondents have not filed reply so far. The  
Learned Counsel for the applicant, submitted that  
in view of the Supreme Court Judgment on the very  
same issue i.e. 1995(1)Scale(S.C.)9 Union of India  
V/s. Vasudevān Pillai and others, held even if  
Dearness Relief be an integral part of pension,  
there is no legal inhibition in disallowing the  
same in cases of these pensioners who get  
themselves re-employed after retirement. This  
category of pensioners can rightfully be treated  
differently from those who do not get any employed  
pension. It would be permissible in law to deny  
Dearness Relief on pension in as much as his salary  
be paid to them on re-employment takes care of  
erosion in the value of the money because of rise  
in prices. The ex-service-men were right  
debarred from Dearness Relief on pension after  
they got themselves re-employed to any civil  
post under the Government of India.

In the light of the above, it is apparent,  
that the case of the applicant is fully covered by  
the decision of the Supreme Court (Supra )

and thus there is no merit in the OA and  
same is dismissed.

abp.

  
(B.S. HEGDE)  
MEMBER (J)