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CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

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

Union of India & Ors. Respondent

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

CORAM :

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

The Hon'ble Shri

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)
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. Vasudevan 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)