

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.

* * *

O.A. 1621/93

Dt. of Decision : 2.2.94.

Smt. M.Devi

.. Applicant.

Vs

1. Union of India, rep. by the
Secretary to Government,
Ministry of Finance,
Department of Economic Affairs,
New Delhi.
2. The General Manager,
Security Printing Press,
Mint Compound,
Saifabad,
Hyderabad.
3. The Pay and Accounts Officer,
Pay & Accounting Unit,
Security Printing Press,
Mint Compound.

Counsel for the Applicant : Mr. N.Rama Rao, Addl. CGSC.

Counsel for the Respondents : Mr. V.Bhimanna, Addl. CGSC.

CORAM:

THE HON'BLE SHRI T. CHANDRASEKHARA REDDY : MEMBER (JUDL.)

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

(Signature)

To

1. The Secretary to Government, Union of India,
Ministry of Finance, Dept. of Economic Affairs,
New Delhi.
2. The General Manager, Security Printing Press,
Mint Compound, Saifabad, Hyderabad.
3. The Pay and Accounts Officer, Pay & Accounting Unit,
Security Printing Press, Mint Compound, Hyderabad-4.
4. One copy to Mr. N. Ramamohan Rao, ~~2nd~~, Advocate, CAT.Hyd.
5. One copy to Mr. V. Bhimanna, Addl. QGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One copy to ~~one~~

pvm

4/1
4/2
4/3
4/4
4/5
4/6
4/7
4/8
4/9

14

Mr. V. Bhimanna standing counsel for the respondents is, that payment of relief on pension is a compensation for a higher cost of living, and as the applicant is an employee and is being paid dearness relief on pay, that she cannot have the benefit of the relief for dearness relief on her pension. But Mr. V. Bhimanna is not able to support his arguments by any statutory rule, circular or instruction. On the other hand, this Bench in OA No. 1116/93 and OA No. 1117/93 has taken the view that the relief on pension cannot be denied to a person, appointed on compassionate grounds. This Bench, after relying on the decisions of fact, in similar cases, were decided recently by this Bench, followed the decision of Madras and Ernakulam Bench. So in view of this position, it will be just and equitable to extend the judgment in OA No. 1116/93 and OA No. 1117/93 to the applicant herein also, as the applicant herein stands on a similar footing in all respects to the applicant in OA 1116/93 and 1117/93. Therefore, directed to pay relief on family pension to the applicant with effect from 1.12.1992.

6. OA is allowed accordingly. No Costs.

Date..... 8/3/94
Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad

IN THE SUPREME COURT OF INDIA

CRIMINAL/CIVIL APPELLATE JURISDICTION Certified to be true copy

S. J. Shrivastava

367157

Assistant Registrar (Jadl.)

21-7-1999

Supreme Court of India

No.

of

CIVIL APPEAL NO. 11974 TO 11977 OF 1996.

(Appeals by Special leave from the Judgment and Orders dated the 10th January, 1993 and 2nd February, 1994, of the Central Administrative Tribunal, Hyderabad Bench at Hyderabad in O.A. Nos. 1631 of 1993, 8 of 1994 and 10 of 1994 and O.A. No. 1621 of 1993 respectively)

1. Union of India, rep. by the Secretary to Govt., Ministry of Finance, Department of Economic Affairs, New Delhi.
2. The General Manager, Security Printing Press, Mint Compound, Saifabad, Hyd-4.
3. The Pay & Accounts Officer, Pay & Accounting Unit, Security Printing Press, Mint Compound, Saifabad, Hyderabad.
4.Appellants.

-Versus-

1. Smt. S. Prabhavathi
(Applicant in O.A. No. 1631/93)
2. Smt. V. Maheshwari
(Applicant in O.A. No. 8/94)
3. Smt. H. Devi,
(Applicant in O.A. 1621/93)
4. Smt. G. Meelakshmi
(Applicant in O.A. 10/94)

All the above four respondents are working in Security Printing Press, Mint Compound, Saifabad, Hyderabad - 500 004.Respondents.

17th August, 1999

CORAM:

HON'BLE MRS. JUSTICE SUJATA V. MANOHAR
HON'BLE MR. JUSTICE M. JAGANNADHA RAO

For the Appellants : Mr. N.N. Goswami, Senior Advocate
(Mr. Y.P. Mahajan, Advocate with him)

The Appeals above-mentioned being called on for hearing before the Court -
perusing the record and hearing counsel for the Appellants herein, the respondents not appearing though served and the

....2....

appeals being set down for hearing ex-parte as against the said respondents, THIS COURT DOETH PASS the following ORDER:

"The subject matter of these appeals is covered by the ratio of the decision of this Court in Union of India Vs. G. Vasudevan Pillay and Ors. reported in (1995) 2 SCC 32. The Civil Appeals are allowed accordingly."

AND THIS COURT DOETH FURTHER ORDER that this ORDER be punctually observed and carried into execution by all concerned;

WITNESS the Hon'ble Dr. Adarsh Sein Anand, Chief Justice of India, at the Supreme Court, New Delhi, dated this the 17th day of August, 1999.

(I.J. SACHDEVA)
JOINT REGISTRAR.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS. 11974-11977 OF 1996

Certified to be true copy

Rishabh
Assistant Registrar (Judi.)

25th August 1999
Supreme Court of India

U.O.I. & Ors.

360664
Appellant (s)

versus

Prabhawathi & Ors.

Respondent (s)

ORDER

The subject matter of these appeals is covered by the ratio of the decision of this Court in Union of India v. G. Yasudevan (1995) 2 SCC 32. The Civil Appeals are allowed accordingly.

Sd/-

(Sujata V. Manohar)

Sd/-

(M. Jagannatha Rao)

New Delhi,
August 17, 1999.

ORDER

¶ As per Hon'ble Shri T.Chandrasekhara Reddy, Member(Judl.) ¶

This is an application filed under section 19
of the ~~Central~~ Acts. to direct the
respondents to pay the relief on family pension and also
relief on the said family pension.

2. To adjudicate this DA the facts ~~so far necessary~~

in brief, are as follows:-

3. The applicant's husband was ^{one} Sri M. Shanker
who was working as ~~Machine~~ Minder - II in Security Printing
Press Hyderabad. The said M. Shanker died ~~on 21.11.90~~
in service. The applicant who is the widow of the said
Shankar was sanctioned an amount of Rs. 588 towards family
pension for the first 7 years that is up ~~on 21.11.90~~
and Rs. 375/- thereafter.

4. While so, on compassionate grounds the applicant
was ~~appointed~~ ~~on 12.11.90~~ in the
same department. The respondents have denied the payment
of relief on pension with effect from the date of her
appointment as Sweeper. So the applicant had
this Tribunal for the relief as already indicated above.

-- ~~Mr. Siva for Mr. N.Rama Mohana Rao~~
counsel for the applicant and Mr. V. Bhimanna standing
counsel for the respondents. One of the arguments of

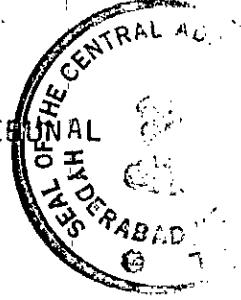
T. C. M.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.

* * *

O.A. 1621/93

Dt. of Decision : 2.2.94.



Smt. M.Devi

.. Applicant.

Vs

1. Union of India, rep. by the
Secretary to Government,
Ministry of Finance,
Department of Economic Affairs,
New Delhi.

Security Printing Press,
Mint Compound,
Saifabad,
Hyderabad.

3. The pay and Accounts Officer,
Pay & Accounting Unit,
Security Printing Press,
Mint Compound,
Hyderabad - 500 004.

.. Respondents.

Counsel for the Applicant : Mr. N.Rama Mohana Rao

Counsel for the Respondents : Mr. V.Bhimanna, Addl.CGSC.

CORAM:

THE HON'BLE SHRI T. CHANDRASEKHARA REDDY : MEMBER
THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

To

1. The Secretary to Government, Union of India,
Ministry of Finance, Dept. of Economic Affairs,
New Delhi.

2. The General Manager, Security Printing Press,
Mint Compound, Saifabad, Hyderabad.

3. The Pay and Accounts Officer, Pay & Accounting Unit,
Security Printing Press, Mint Compound, Hyderabad-4.

4. Advocate, CAT.Hyd.

5. One copy to Mr. v. Bhimanna, Addl. CGSC.CAI.Hyd.

6. One copy to Library, CAT.Hyd.

7. One spare copy.

pvm

Wtu 2/1
R 8/8/94

Case Number OA - 1621/98

Date of Judgement 2-2-94

Copy made ready on 10-3-94

Section Officer (I)

Mr. V. Bhimanna standing counsel for the respondents is, that payment of relief on pension is a compensation for a higher cost of living and as the applicant is an employee and is being paid dearness relief on pay, that she cannot have the benefit of the relief for dearness relief on her pension. But Mr. V. Bhimanna is not able to support his arguments by any statutory rule, circular or instruction.

On the other hand, this Bench in OA No. 1116/93 and OA No. 1117/93 has taken the view that the relief on pension cannot be denied to a person, appointed on compassionate grounds. This Bench, after relying on the decision of

Madras and Ernakulam Bench^{es} had held so. As a matter of fact, in similar cases^{es} were decided recently by this Bench had followed the decision of Madras and Ernakulam Bench.

So in view of this position, it will be just and equitable to extend

OA No. 1117/93 to the applicant herein also, as the applicant herein stands on a similar ^{footing} in all respects in OA 1116/93 and 1117/93. Hence the respondents are hereby directed to pay relief on family pension to the applicant

6. OA is allowed accordingly. No Costs.

(A) *Sundar Kalyan*
Date.....
Court Officer
Central Administrative Tribunal
Hyderabad

8/3/94