

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.

* * *

O.A. No. 463/93

Dt. of Decision : 27.12.93.

P. Anantha Lakshmi

.. Applicant.

vs

1. Union of India represented by the Secretary to Government, Ministry of Water Resources, New Delhi.
2. Chairman, Central Water Commission, R.K.Puram, New Delhi.
3. Pay and Accounts Officer, Central Water Commission, 7th Floor, Seva Bhawan, R.K.Puram, New Delhi.
4. Chief Engineer, Central Water Commission, Water Resources Organisation, Shantinagar, Hyderabad-500 028. .. Respondents.

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

Counsel for the Respondents : Mr.NV.Raghava Reddy,
Addl. CGSC

CORAM:

THE HON'BLE JUSTICE SHRI V. NEELADRI RAO : VICE CHAIRMAN
THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

JUDGMENT

X as per Hon'ble Sri R.Rangarajan, Member(Administrative) X

Heard Shri N.Ram Mohan Rao, learned counsel for the applicant and Sri N.V.Raghava Reddy, learned counsel for the respondents.

2. The applicant submits that she is the widow of late ~~Dr. R. Ram Mohan Rao who worked as Superintending Engineer~~, Director of Central Water Commission and expired on 14.12.1987. After the death of the husband, the applicant was sanctioned family pension of Rs.1200/- per month from 15.12.1987 till 14.12.1994 and thereafter the normal rate of family pension of Rs.600/-.

3. The applicant was given appointment on compassionate that post on 30.6.1988. She submits that she was not paid D.A. on family pension from the time she was employed as Research Assistant(Chemistry) on compassionate grounds.

4. This O.A. has been filed for a direction to pay the applicant the D.A. on the family pension from the date she was employed.

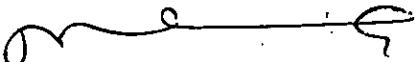
5. In the Judgment dt. 13.9.1993 in O.A.No.1116/93 it was held by this Tribunal wherein one of us (Hon'ble V.C.) was a Member, that D.A. on the family pension cannot be withheld for a compassionate ground appointment. The above decision was based on the orders in O.A.No.801/91 dated 31.1.1992 on the file of Madras Bench and in O.A.No.1132 1133/93 and O.A.No.1134/92 dt. 25.1.1993 on the file of

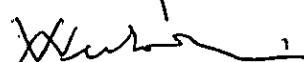
(22)

Ernakulam Bench, as there is no statutory provision to withhold the D.A. on family pension. We find no reason to differ from the orders of this Bench in O.A.No.1116/93 and we fully agree with the reasonings.

6. As per practice followed by this Bench, monetary relief in such cases will be limited to one year prior to the date of filing of the O.A. As this O.A. was filed on 5.5.1993 we direct payment of D.A. on the family pension from 1.5.1992.

7. The O.A. is ordered accordingly. No costs.


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice-Chairman

Dated 27, 1993.

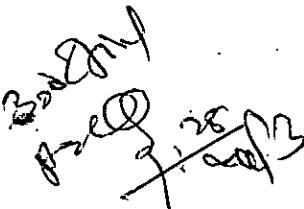
Grh.


Deputy Registrar (Dugt.)

Copy to:-

1. Secretary to Government, Ministry of Water Resources, Union of India, New Delhi.
2. Chairman, Central Water Commission, R.K. Puram, New Delhi.
3. Pay and Accounts Officer, Central Water Commission, 7th floor, Seva Bhavan, R.K.Puram, New Delhi.
4. Chief Engineer, Central Water Commission, Water Resources organisation, Shantinagar, Hyderabad-028.
5. One copy to Sri. N.Ram Mohan Rao, advocate, CAT, Hyd.
6. One copy to Sri. N.V.Raghava Reddy, Addl. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-


B. D. M.
Rsm/-
26/7/93

TYPED BY

28/12/93
O.A.463/93
COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(A)

AND

THE HON'BLE MR.T.CHANDRASEKHAR REDDY
MEMBER(J)

AND

THE HON'BLE MR.R.RANGARAJAN : MEMBER(A)

Dated: 27/12/1993

ORDER/JUDGMENT:

M.A/R.A/C.A.NO.

O.A.No. 463/93

T.A.No.

(W.P.)

Admitted

Allowed.

Disposed of with directions.

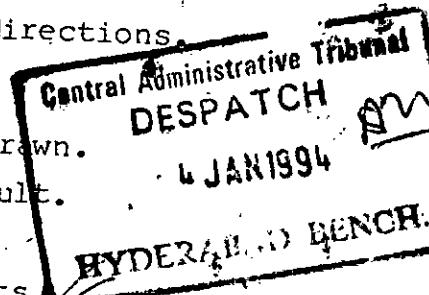
Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Rejected/Ordered.

No order as to costs



pvm