

N. Rama Mohan Rao

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*W.P. 100*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

MA.228/97 in OA.170/94

dt.25-3-97

Between

Smt. Ch. Kamala : Applicant

and

1. Union of India, rep. by  
its Secretary, M/o Communications  
New Delhi

2. Chief GM Telecom,  
AP Circle, Doorsanchar Bhawan  
Hyderabad

3. Accounts Officer(TA)  
Telecom, AP Hyderabad

.. Respondents

ORDER

Heard Sri Siva for Mr. N. Rama Mohan Rao on behalf of the applicant and Sri N.R. Devaraj for the respondents.

1. After hearing the learned counsel for the applicant, I am of the view that the direction contained in OA.170/94 dated 17-2-1994 shall be applicable to this case as well.

The said direction is extracted below :

"In view of the above, the applicant is entitled for dearness relief on family pension from the date of her appointment viz.19-4-1993. The arrears of family pension accruing to the applicant from 19-4-1993 till she is paid regularly the DA on family pension has to be computed and paid to her within 4 months from the date of receipt of this judgement."

2. It is also seen that in the case of Smt. Neeraja Vs. Union of India in OA.303/94 the Department had taken a decision to pay the dearness relief on family pension even though she was appointed on compassionate grounds. It was also decided by the Respondents in her case that the arrears of pension shall be restricted for a period of one year preceding filing of the OA. It was indicated in Memo No.TA/LC/5-41-94 dated 6-11-1996 that the said payment shall

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be subject to the outcome of the SLP being filed in the Hon'ble Supreme Court of India.

3. Considering the facts of the present OA, it is directed that action taken on the basis of judgement in OA.170/94 and OA.303/94 shall be repeated in the case of the present applicant as well, subject to the same conditions as in the case of Mrs. Neeraj.

4. Time for compliance is two months from the date of receipt of copy of this order.

5. Thus MA is disposed of.

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