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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.116/94

Date of Order: 4.2.94

BETWEEN :

Smt. P.Nirmala

.. Applicant.

A N D

1. The Union of India, rep. by its Secretary, Ministry of Finance, New Delhi.
2. The Chief Controller of Defence Accounts (Pension), O/o the Chief CDA (Pensions), Allahabad. .. Respondents.

Counsel for the Applicant

.. Mr. G. Parameswara Rao

Counsel for the Respondents

.. Mr. N. R. Devraj

CORAM:

HON'BLE SHRI A.B.GORTHI : MEMBER (ADMN.)

HON'BLE T.CHANDRASEKHARA REDDY : MEMBER (JUD L.)

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ORDER

(As per Hon'ble Shri A.B. Gorthi, Member (Admn.))

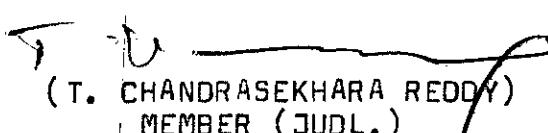
Heard Mr. G. Parameshwara Rao learned counsel for the applicant and Mr. N.V. Ramana standing counsel for the respondents. The applicant is the widow of Sri. P. Prasad Rao, who, while working as Asst. Foreman in the Ordnance Factory Project, Yeddu-mailaram, Medak District died on 31.10.90. The applicant was consequently sanctioned family pension which was being paid together with the dearness relief on family pension. However, on the appointment of the applicant on compassionate ground as an L.D.C. with effect from 26.11.91, the respondents decided not to pay her the dearness relief in the family pension. Her claim in this application is for payment of dearness relief on family pension.

2. In similar cases (OA 801/91, OA 1132/92, OA 1133/92 and OA 1134/92), the Madras and Ernakulam Benches of the Tribunal allowed the applications. Following the same, this Bench of the Tribunal also in OA No. 116/93 allowed the prayer of the applicant therein for payment of dearness relief on family pension.

3. Consequently this application has to be allowed. As per the practice followed by this Bench, monetary relief in such cases will be limited to one year prior to the date of filing the OA.

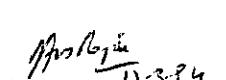
As the OA was filed on 20.1.1994 we direct that the payment of dearness relief on family pension to the applicant to be made with effect from 1.1.1993.

4. The OA ordered accordingly at the admission stage itself. No order as to costs.


(T. CHANDRASEKHARA REDDY)
MEMBER (JUDL.)


(A.B. GORATHI)
MEMBER (ADMN.)

Dated : The 4th February 94
(Dictated in Open Court)


Deputy Registrar (J)C.

To spr

1. The Secretary, Union of India,
Ministry of Finance, New Delhi.
2. The Chief Controller of Defence Accounts (Pension),
O/o The Chief CDA (Pensions), Allahabad.
3. One copy to Mr.G.Parameswara Rao, Advocate, CAT.Hyd.
4. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

THE HON'BLE M.R.A.B.GORTHI : MEMBER(A)
AND

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

AND

THE HON'BLE MR.H.RANGARAJAN : MEMBER
(ADMN)

Dated: 6-2-1994.

~~ORDER/JUDGMENT:~~

M.A./R.A/C.A. No.

in

O.A.No.

116/94

T.A.No.

(W.P.No.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

