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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

OA 14/94.

Dt. of Order: 10-1-94.

G.V.Ramalaxmi

...Applicant

vs.

1. Union of India, represented by the Secretary to Government, Ministry of Urban Development, New Delhi.
2. Superintending Engineer (Co-ordination) South Zone (SZ) C.P.W.D., Madras.
3. Pay & Accounts Officer (South Zone) (Central Public Works Department) 140, Marshalls Road, Egmore, Madras-600 008.
4. Superintending Engineer, Hyderabad Central Electrical Circle, C.P.W.D., Nirman Bhavan, Sultan Bazar, Hyderabad.

...Respondents

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Counsel for the Applicant : Shri N.Ram Mohan Rao

Counsel for the Respondents : Shri N.R.Devraj, Sr.CGSC

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14/10/94

ORDER

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

This is an application filed under Section 19 of the Administrative Tribunals Act, to direct the respondents to pay relief on family pension to the applicant and to continue to pay the same and pass such other order or orders as may deem fit and proper in the circumstances of the case.

2. The husband of the applicant is one Late GVR. Krishna Murthy. While working as UDC, the said GVR.Krishna Murthy died on 29.12.90. By the time of his death, the said GVR. Krishna Murthy is said to have put in service of 20 years. The applicant was sanctioned family pension with effect from 29.12.90 at the rate of Rs. 700/- per month for the first 7 years, and, thereafter at Rs. 423/- by making it clear that the Dearness relief on pension, as admissible from time to time, will be paid to the applicant. Accordingly the applicant was paid Dearness relief on family pension and other reliefs.

3. The respondents, on compassionate grounds, appointed the applicant as LDC w.e.f., 29.1.92 in Hyderabad, Central Electric Division of the Central public Works Department, Hyderabad. From the date of appointment of the applicant i.e., 29.1.92, the respondents had stopped paying Dearness relief on the family pension, on the ground, that from the date of appointment on compassionate grounds, that the applicant is not eligible for relief on family pension. According to the applicant the stand

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of the respondents is erroneous. According to her she has to be paid Dearness relief and other allowances on the said family pension for which she is eligible. According to the applicant, denial of the same is illegal. So the present OA is filed by the applicant for the relief as already indicated above.

4. We have heard Mr. Siva for Mr. N. Ram Mohan Rao counsel for the applicant and Mr. N. R. Devaraj standing counsel for the respondents.

5. Along with this OA, the applicant had filed the judgements dt. 13.9.93 passed in OAs 1116/93 and 1117/93 which were disposed of by a Division Bench of this Tribunal. The facts in the two disposed OAs i.e., in OA Nos. 1116/93 and 1117/93 and the facts in this OA are identical and similar. This Bench, while allowing the said OAs, had directed the respondents to pay the applicants therein, Dearness allowance on the family pension, but, restricted the benefit only for a period of one year prior to the filing of those OAs. As already pointed out, as the applicant herein is similarly placed to the applicants in OAs 1116/93 and 1117/93, the applicant herein also is entitled to the benefit of those judgements. So in deciding this OA, we follow respectfully the decisions of this Bench in OAs 1116/93 and 1117/93. In the result, the respondents are hereby directed to pay to the

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applicant Dearness relief on the family pension
with all consequential benefits ^{if any} ~~w.e.f.~~, 29.12.92.

Even though the applicant had claimed interest on
the arrears of Dearness relief and other benefits
due to be paid to her, in view of the circumstances
of the case, the claim of the applicant for interest
is hereby rejected. OA disposed accordingly.

No Costs.

T. Chandrasekhar
(T.CHANDRASEKHARA REDDY)
MEMBER (JUDL.)

Dated : The 10th January 94
(Dictated in Open Court)

SPR

SPR/194
Deputy Registrar (Judl.)

Copy to:-

1. Secretary to Government, Union of India, Ministry of Urban Development, New Delhi.
2. Superintending Engineer (Co-ordination) South Zone (SZ) CPWD, Madras.
3. Pay & Accounts Officer (South Zone) Central Public Works Department) 140, Marshalls road, Egmore, Madras-008.
4. Superintending Engineer, Hyderabad Central Electrical Circle, C.P.W.D. Nirman Bhavan, Sultan Bazar, Hyd.
5. One copy to Sri. N. Ram Mohan Rao, advocate, CAT, Hyd.
6. One copy to Sri. N. R. Devaraj, Sr. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

*With regards
PRD/194*

09.14/94

TYPED BY

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: 10/1/1994

ORDER/JUDGMENT:

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

O.A.No. 14/94

T.A.No. (W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Rejected/Ordered.

No order as to costs.

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