

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.177/94

Date of Order: 21.2.94

BETWEEN:

Smt. M.Sarada .. Applicant.

A N D

1. Union of India, Rep. by its Secretary, Ministry of Communications, New Delhi.
2. Head Record Officer, Hyderabad Sorting Division, Hyderabad.
3. The Accounts Officer, Postal Accounts, Andhra Circle, Hyderabad-1.

.. Respondents.

Counsel for the Applicant .. Mr.N.Ram Mohan Rao

Counsel for the Respondents .. Mr.N.R.Devraj

CORAM:

HON'BLE SHRI V.NEELADRI RAO : VICE-CHAIRMAN

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

JUDGMENT

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

Heard Sri N.Rama Mohana Rao, learned counsel for the applicant and Sri N.R.Devaraj, Senior CGSC for respondents.

2. The applicant submits that she is the widow of late Sri M.Rajanna, who worked as Sorter in the Head Record office, Hyderabad and expired on 27.10.1991. After the death of her husband, the applicant was sanctioned family pension of Rs.537/- from 1.12.1991 to 27.10.1998 and thereafter @ Rs.375/- p.m. which is the minimum pension payable. The applicant was given appointment as Mail Women Grade 'D' on compassionate grounds with effect from 13.10.1993. Consequent to her appointment as above on compassionate grounds, the dearness relief on the family pension was not paid.

3. This O.A. has been filed for a direction to the respondents to pay the dearness relief on the family pension from the date she was appointed viz. 13.10.1993 based on the O.A.No.282/90 dt. 25.11.91 of Ernakulam Bench, in orders in O.A.No.801/91 dt. 31.1.1992, O.A.s.1132, 1133 and 1134/92 dt. 25.1.1993 on the file of Madras Bench and in O.A.No.1117/93 dt. 13.9.1993 on the file of this Bench. The relief asked for by the applicants therein has been granted by the Ernakulam and Madras Benches because of the fact that that there are no statutory rules prohibiting payment of dearness relief on family pension. No such rule

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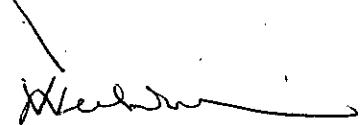
(B)

was also brought to our notice during the course of hearing. Hence, we find no reason to differ from the orders of the Ernakulam and Madras ~~Benches and the earlier~~ Judgment of this Bench. We fully agree with the reasonings.

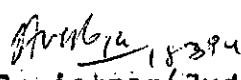
9. In view of the above, the applicant is entitled for dearness relief on family pension from the date of her appointment as ~~Maid~~ Women Grade 'D' viz. 13.10.1993. The arrears of family pension accruing to the applicant from 13.10.1993 till she is paid regularly the D.A. on family pension has to be computed and paid to her within 4 months from the date of receipt of this judgment.

10. The O.A. is ordered accordingly at the admission stage. No costs.


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice Chairman

Dated 21st Feb., 1994.


Deputy Registrar (Judi.)

Grh.

Copy to:-

1. Secretary, Ministry of Communications, Union of India, New Delhi.
2. Head Record Officer, Hyderabad Sorting Division, Hyderabad.
3. The Accounts Officer, Postal Accounts, Andhra circle, Hyd-1.
4. One copy to Sri. N. Ram Mohan Rao, advocate, CAT, Hyd.
5. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Smt. Library, CAT, Hyd.
7. One spare copy.

Rsm/-

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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT 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 (JUDL)

AND

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

Dated: 21/2/1994.

ORDER/JUDGMENT: —

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

O.A. No.

177/94

T.A. No.

(W.F. No.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with directions.

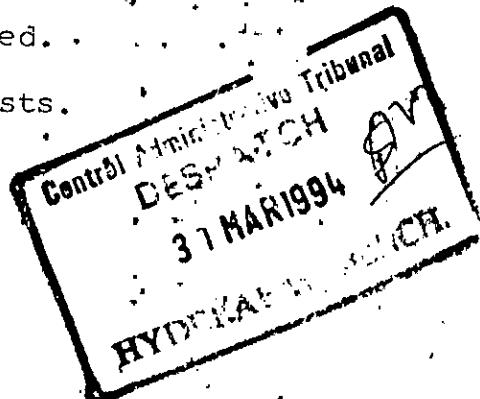
Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.



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8/16/93