

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.

* * *

O.A. 405/94.

Dt. of Decision : 7.4.1994.

Mrs. V. Sarojini

.. Applicant

Vs

1. Union of India, Rep. by its
Secretary (Establishment)
Railway Board,
New Delhi.
2. Deputy Chief Electrical Engineer,
Railway Electrification,
Kazipet, Andhra Pradesh.
3. Chief Personnel Officer,
South Central Railway,
Secunderabad.
4. Divisional Railway Manager (BG)†
Secunderabad.
5. Senior Divisional Accounts Officer
(B.G.), South Central Railway,
Secunderabad.

.. Respondents.

Counsel for the Applicant : Mr. K.Venkateswara Rao

Counsel for the Respondents : Mr. N.V. Ramana, Adl.CGSC

CORAM:

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

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

DA 405/94.

Dt. of Order: 7-4-94.

(Order of the Divn. Bench passed by
Hon'ble Shri A.B.Gorthi, Member (A)):

In this application the applicant claims that she is entitled to payment of Dearness Relief on her family pension from the date she ^{was} appointed on compassionate grounds (6-3-88) and consequently her prayer is that an amount of Rs.2,500/- approximately recovered from her be refunded and that she be continued to be paid Dearness Relief on family pension.

2. The applicant's husband Sri V.V.Satyanarayana expired on 28-11-87 while working as Foreman in SC Rlys. The applicant was sanctioned family pension of Rs.675/- p.m. and Dearness Relief of Rs.88/- with effect from 29-11-87. Her request for appointment on compassionate grounds having been accepted, and she was appointed on 6-3-88 as a junior clerk in the grade of Rs.950-1500. After her appointment she continued to receive her family pension together with the Dearness Relief. However vide impugned memo dt.21-11-88 she was informed that on account of an ~~error~~ ^A ~~error~~ ^{error} in calculation she would no longer ~~would~~ ^{be} be paid the Dearness Relief on family pension. Consequently ~~about~~ [<] a sum of Rs.2,500/- approximately was recovered from her.

....3.

(7)

3. Similarly situated employees approached the Madras, ^{and} Ernakulam Benches of the Tribunal, and also this Bench of the Tribunal. In all such cases it was held that an individual receiving family pension would continue to receive Dearness Relief on family pension even after he/she ^{is} appointed on compassionate grounds.

4. Learned counsel for the Respondents Shri N.V. Ramana ^{additional} wants some/time to file a reply. As we are satisfied that the matter ^{is} squarely covered by the several judgments of the Tribunal, no useful purpose would be served in further delaying this matter.

5. In view of the above, we allow this application and direct the respondents to refund whatever amount they had recovered from the applicant towards payment of Dearness Relief on family pension. As regards ^{future} payment of ^{to the applicant,} dearness relief, we direct payment of dearness allowed relief on family pension, with effect from 1-3-93 i.e. one year prior to the filing of this Original Application. Arrears arising on account of this ^{is} also ^{to} refund of the money recovered shall be paid within a period of 3 months from the date of communication of this order. No costs.

CERTIFIED TO BE TRUE COPY

Date..... 20/4/93

Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad.