

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD.

O.A. 472/94

Dt. of Decision : 20.4.1994

1. N. Rajeswara Rao	11. C.A. Kannan
2. G.V. Ramana Rao	12. Smt. M. Herft
3. S. Ananth Lakshmi	13. R. Balaiah
4. A.H. Priya Bhagwani	14. C.B. Janardhana Rao
5. M. Kareem Khan	15. Smt. K. Shanta Kumari
6. V.L. Benjamin	16. M.N. Murthy
7. Smt. Y.D. Vilvaraj	17. Balaiah
8. K. Kataiah	18. R. Mallaiah
10. H. Murphy	20. R. Janaki Radha Krishnan
	21. Kummaraiyah Mallaiah

All are the applicants are retired employees  
of running staff in SC Railway, SC/HYB/BZA.

.. Applicants.

Vs

1. Secretary, Ministry of Railways,  
New Delhi.
2. General Manager,  
South Central Railway,  
Rail Nilayam,  
Secunderabad.
3. Divisional Railway Manager,  
Secunderabad Division (MG),  
South Central Railway,  
Secunderabad.
4. Divisional Railway Manager,  
Hyderabad Division (MG),  
South Central Railway,  
Secunderabad.
5. Divisional Railway Manager,  
Vijayawada Division,  
South Central Railway,  
Vijayawada.

.. Respondents.

Counsel for the Applicants : Mr. P. Krishna Reddy

Counsel for the Respondents : Mr. D. Francis Paul, SC for RL

GORM:

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

OA.472/94

### Judgement

( As per Hon. Mr. A.B. Gorthi, Member (Administration) )

Heard Sri P. Krishna Reddy, learned counsel for the applicant and Sri D. Francis Paul, learned counsel for respondents.

3. Similarly situated several employees approached the Bangalore Bench of the Tribunal. A Full Bench of the ----- the file of the Bangalore Bench of the Tribunal held that the computation of the pension should be done in accordance with the statutory rules then in force in respect of those persons who retired between 1-1-1973 and 4-12-1988. As per Rule 2544 of the Indian Railways Estt. Code which was in force and before it was amended by notification dated 5-12-1988, 75% of the Basic Pay was the maximum limit fixed which qualified for pension and other pensionary benefits.

4. In view of the judgement of the Full Bench, this application is also allowed with the following directions:-

1) The respondents shall recompute the pension and other retirement benefits of the applicants or their L.Rs in accordance with Rule 2544 as was in force before it was amended by Notifications dated 5-12-1988.

ii) The arrears due to the applicants/L.Rs. on the basis of the recomputation as aforesaid shall be calculated and paid.

iii) The directions shall be carried out within a period of three months from the date of receipt of the copy of this order.

iv) The payment of Pension and retirement benefits as per the aforesaid directions shall stand regulated/adjusted in accordance with the orders/directions as may be issued by the Supreme Court in SLP.No.10373/90 against the decision of the Ernakulam Bench of the Tribunal in Application No.

5. The OA is allowed at the admission stage itself after hearing the learned counsel for both the parties. No order as to costs.

*ABG*  
(A.B. Gorchi)  
Member (Admn.)

Dated : April 20, 94  
Dictated in the Open Court

*Dy. Registrar*

Copy to:-

1. Secretary, Ministry of Railways, Union of India,
2. General Manager, S.C.Railways, Railnilayam, Secunderabad Division, South Central Railway, Secunderabad.
3. Divisional Railway Manager, Hyderabad Division, South Central Railway, Secunderabad.
4. Divisional Railway Manager, Hyderabad Division, Central Railway, Secunderabad.
5. Divisional Railway Manager, Vijayawada Division, Central Railway, Vijayawada.
6. One copy to Sri. P.Krishna Reddy
7. One copy to Sri. D.Francis Peet
8. One copy to Library, CAT, Hyd.
9. One spare copy.

Rsm/-

*Advocate CAT, Hyd.  
SC. For RJS, CAT, Hyd.*  
Secunderabad Division, South  
Division (MC), South  
New Delhi.

OA-4721

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE

VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHI : MEMBER(AD)

AND

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

AND

THE HON'BLE MR. R. RANGARAJAN : M(ADMIN)

Dated: 26/1/1994

ORDER/JUDGMENT

O.A/R.A./C.A./NO.

O.A.NO.

472/94

T.A.NO.

(w.p.)

Admitted and Interim Directions  
Issued.

Allowed ~~and dismissed~~.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

