

DA.59/au

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.
* * *

DA.SR.No. 1043/94.

Dt. of Decision : 29.4.94.

1. Smt. A. Lalita Kumari	9. P.V. Ramanamma
2. Y. Annapurna	10. M.V.R. Kumari
3. T. Durga	11. S. Appalanarasamma
4. M. Lakshmi	12. Y. Radha Devi
5. S. Dalamma	13. R. Suramma
6. S. ...	14. M. Lakshmi
7. G.L. Kamala Kumari	15. M. Lakshmi
8. S. Yagadamba	16. Ch. Yayamma

.. Applicants.

VS

1. Union of India, rep. by its Secretary, (Establishment) Railway Board.
2. General Manager, SE. Railway, Garden Reach, Calcutta.
3. Divisional Railway Manager (P) SE Railway, Waltair, Visakhapatnam - 530 004.
4. Senior Divisional Accounts Officer, (open line), South Eastern Railway, Waltair, Visakhapatnam.
5. District Treasury Officer, Collector's Office, Visakhapatnam.

.. Respondents.

Counsel for the Applicants : Mr. P.B. Vijaya Kumar

Counsel for the Respondents : Mr. N.R. Devarak, Sr. CGSC.

CORAM:

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

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OA SR No.1043/94

dt. of order: 29-4-1994.

(Order of the Single Bench delivered by the)
Hon'ble Sri A.B. Gorthi, Member (A)

All the 16 applicants herein are those who were given compassionate appointment under the respondents.

They were initially paid Dearness Relief on family pension also, but subsequently payment of Dearness Relief was stopped on the ground that they are receiving pay and allowances from the Department.

2. Similarly situated employees had filed OAs before Ernakulam and Madras benches of the Tribunal. The said OAs were disposed of by holding that it was not open to the authorities to withhold Dearness Relief on family pension in the absence of specific statutory provisions to that effect. Following the ~~same~~ ^{order} of the Ernakulam benches of this Tribunal, ~~also~~ ^{also} in OAs No.1116/93 and 1483/93 similar relief to the applicants therein were given. There is thus no justification why the applicants herein who are similarly situated should be denied the same benefit. Therefore a direction is given to the respondents to continue to pay ^{to the applicants} Dearness Relief on family pension from the date it was withheld.

3. The OA is ordered accordingly at the admission stage. No costs.

(A.B. Gorthi)
Member (Adm.)

Dt. 29-4-1994.

Open Court Dictation.

Deputy Registrar (J)CC

To

kmv

1. The Secretary, Establishments Rly. Board, Union of India, New Delhi.
2. The General Manager, S.E.Rly, Garden Reach, Calcutta.
3. The Divisional Railway Manager (P) S.E.Rly, Waltair, Visakhapatnam -4.
4. The Senior Divisional Accounts Officer (Open Line), South Eastern Railway, Waltair, Visakhapatnam.
5. The District Treasury Officer, Collector's Office, Visakhapatnam.
6. One copy to Mr. P. B. Vijayakumar, Advocate, CAT. Hyd.
7. One copy to Mr. N. R. Devaraj, Sr. CGSC. CAT. Hyd.
8. One copy to Library, CAT. Hyd (9) One spare copy.

pvm

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

AND

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

AND

THE HON'BLE MR.TCCHANDRASEKHAR REDDY

AND

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

Dated: 29 - 6 - 1994

ORDER/JUDGMENT

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

in
O.A.No. 59/94

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.

