

107

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

DA.No.552/99

Date of order: 31-7-2000

Between:

A.V.Krishnamurthy

...Applicant

A n d

1. Financial Commissioner,  
Ministry of Railways,  
Railway Board, Rail Bhavan,  
Govt.of India,  
New Delhi-110 001.
2. Financial Adviser and  
Chief Accounts Officer,  
Southern Railway,  
CHENNAI- 600 003.
3. Secretary,  
Department of Personnel, Pension  
and Pensioners Welfare,  
Lok Nayak Bhavan,  
New Delhi - 110 001.

... Respondents

Counsel for the applicant - Party-in-Person

Counsel for the Respondents - Mr.V.Bhimanna, SC for Railways

CORAM :

THE HON'BLE MR.JUSTICE D.H.NASIR : VICE-CHAIRMAN

...

O r d e r

Heard the applicant in person and the learned standing  
counsel Mr.V.Bhimanna for the respondents.

2. It appears that the Hon'ble Supreme Court by its  
order dt.26.4.2000 in Writ Petition (Civil) No.567 of 1995  
has observed as under:-

"Those who commuted 100% pension continue to remain  
non-pensioners till their pension is restored. In Welfare  
Association case (supra) persons who commuted the full  
pension and who will not be given any monthly pension  
by deeming monthly pension to have been reduced to nil  
has been treated as a separate category. Those who commute

(w)

..contd..2

100% pension are not entitled to the benefit of dearness relief on full pension or other benefits as claimed herein. We also do not find any discrimination in so far as this class is concerned."

3. In view of the above decision of the Supreme Court no cause survives for the present applicant to pursue the OA and the same deserves to be disposed of as having been covered by the aforesaid decision of Hon'ble Supreme Court.

4. The OA is disposed of accordingly. No order as to costs.

*D.H. Nasir*  
(Justice D.H. Nasir)  
Vice-Chairman

Dated: 31st July, 2000

'SA'

(Dictated in the open court)

*M. J. S. S.*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

COPY TO

1. HDHND

2. HRRN (ADMN.) MEMBER

3. HBSJP (JUDL.) MEMBER

4. D.R. (ADMN.)

5. SPARE

6. ADVOCATE

7. STANDING COUNSEL

IST AND IIND COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE HON'BLE MR. JUSTICE D.H. NASIR  
VICE-CHAIRMAN

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

~~THE HON'BLE MR. S.S. JAI PARAMESHWAR  
MEMBER (JUDL.)~~

DATE OF ORDER

31-7-00

MA/RA/CP. NO.

IN

CA. NO.

552/98

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

~~DISPOSED OF WITH DIRECTIONS~~

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

Copy to  
A. V. Krishna Murthy (P-2-P)  
301, Siva Apartments  
Dharam keram Road  
Amberpet Hydr-16

(8 Copies)

