

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
J A I P U R.

R.A.No.41/95
(OA 217/93)

: Date of order: 28.7.1995

Union of India & Others : Applicants

vs.

Smt. Uma Sharma : Respondent.

Mr. U.D. Sharma : For the review petitioner
Mr. Surendra Singh : For the original applicant
(non-petitioner).

CORAM:

Hon'ble Mr. O.P.Sharma, Member (Administrative)
Hon'ble Mr. Rattan Prakash, Member (Judicial)

O R D E R

(PER HON'BLE MR.O.P.SHARMA, MEMBER (ADMINISTRATIVE))

This is a review application filed by the official respondents in respect of the order dated 11.2.1994 passed by this bench of the Tribunal in OA No.217/93 Smt. Uma Shankar vs. Union of India and others. By the aforesaid order the Tribunal while disposing of the original application had held that the applicant who was in receipt of family pension and was also employed as an LDC in the office of Deputy Director General, Geological Survey of India, Western Region, Jaipur was entitled to receive dearness relief on family pension. In the review application filed on 24.3.1995, the official respondents stated that the Hon'ble Supreme Court had since delivered their judgment in the case of Union of India and others vs. G.Vasudevan Pillay and others on 8.12.1994

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to the effect that dearness relief is not admissible to persons in receipt of family pension who are employed with the Government. Since copy of the judgment of Hon'ble Supreme Court was received recently, the review application had been filed in March 1995.

2. During the arguments the learned counsel for the official respondents stated that in the case of this very applicant, they had filed an SLP before the Hon'ble Supreme Court and now the judgment of Hon'ble Supreme Court dated 23.3.1995 has become available. The Hon'ble Supreme Court have in their judgment set-aside the order of the Tribunal. Therefore, in any case the order of the Tribunal stands set-aside. The review application has therefore become infructuous. A copy of the order of the Hon'ble Supreme Court presented by the learned counsel for the official respondents has been taken on record.

3. The review application stands disposed of accordingly.

4. The MA for stay of the operation of the order dated 11.2.1994 has also now become infructuous in view of the position explained above. It therefore stands disposed of accordingly.


(Rattan Prakash)
Member (J)


(O.P. Sharma)
Member (A)