

(1994) 03 SC CK 0053

In the Supreme Court Of India

Case No : Civil Appeal No. 1773 of 1994 Arising out of SLP (C) No. 1884 of 1989

Union of India (UOI)

APPELLANT

Vs

S.K. Lall

RESPONDENT

Date of Decision : 17-03-1994

Acts Referred:

Citation : (1994) 2 SCALE 283 : (1994) 2 SCC 180 Supp

Hon'ble Judges : N. P. Singh, J;A. M. Ahmadii, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

1. Leave granted.

2. This appeal is on behalf of the Union of India, against an order dated 7.10.1988 passed by the Central Administrative Tribunal, Allahabad (hereinafter referred to as the 'Tribunal').

3. Respondent retired from the service on 31.7.1979. He filed an application before the Tribunal for a direction that an option be given in terms of the Office Memorandum No. F-19(4)-E. V./79 dated 25.5.1979, even to those who retired between 30.4.1979 and 30.1.1982. A grievance was made that in terms of the aforesaid Office Memorandum, option could be exercised only by persons, who retired on or after 30.9.1977 but not later than 30.4.1979. The Tribunal allowed the said application. During the hearing of the present appeal, we were informed that by a later order, the period of exercising the option has been extended upto 1.2.1982. The validity of the Office Memorandum No.F-19(4)- E.V./ 79 dated 25.5.1979 has been examined in detail in Civil Appeal No. 517 of 1987 (Union of India v. P.N. Menon and Ors.) disposed of today. Any grievance made on behalf of the respondent, in respect of the said Office Memorandum shall be examined, in terms of the judgment in the aforesaid appeal. In that view of the matter, hardly anything survives requiring any order or direction by this Court. Accordingly, the appeal is disposed of in terms of the judgment delivered today

in Civil Appeal No. 517 of 1987. There will be no order as to costs.

Civil Appeal No. 1782 of 1994 (Arising out of SLP (C) No. 753 of 1991)

SECRETARY TO GOVT. OF INDIA and Ors. Appellants VS ALL INDIA SERVICES PENSIONERS and Ors. Respondents

4. Leave granted.

5. This appeal has been filed against an order dated 11.5.1989 passed by the Central Administrative Tribunal, Jodhpur, holding that the members of the All India Services Pensioners - respondents, who retired between 31.12.1978 and 31.1.1982, were entitled to the full graded dearness relief i.e. Rs. 200/- per month, from 1.12.1978. This dispute has arisen in view of the Office Memorandum No. F-19(4)-E.V./79 dated 25.5.1979. The Tribunal has pointed out certain anomaly with respect to the grievance of the respondents. During the hearing of the appeal, we were informed that the said anomaly has been removed. Accordingly, this appeal is disposed of in terms of the judgment delivered today in Civil Appeal No. 517 of 1987 (Union of India v. P.N. Menon and Ors.). This will be no order as to costs.

Civil Appeal Nos. 1774, 1775-78, 1779, 1780 & 1781 OF 1994 (Arising out of Special Leave Petitions Nos. 9971/85, 9346-49/87, 14427/88, 7049/89 and 9906 of 1991)

GOVT. OF INDIA and Ors. ETC. ETC. Appellants VS D. KRISHNA MOHANA RAO and Ors. Respondents

6. Leave granted in all the above mentioned Special Leave Petitions. These appeals have been filed on behalf of the Union of India. They are disposed of in terms of the judgment delivered today by this Court in Civil Appeal No. 517 of 1987 (Union of India v. P.N. Menon and Ors.) There will be no order as to costs.

Writ Petition (C) No. 611 of 1991

HARI PRAKASH and Anr. Petitioners VS UNION OF INDIA Respondent

During the hearing of the writ petition, counsel for the parties agreed that this case is fully covered by the judgment of this Court in Action Committee South Eastern Railway Pensioners and Another Vs. Union of India (UOI) and Others, Accordingly, the writ petition is disposed of in terms of the aforesaid judgment. There is be no order as to costs.