

The Hon'ble Sri Justice V. RAMASUBRAMANIAN
and
The Hon'ble Sri Justice M. GANGA RAO

WRIT PETITION No.22080 OF 2005

Date:15.11.2017

Between:

Union of India, Rep. by General Manager,
South Central Railway, Rail Nilayam,
Secunderabad and another.

...Petitioner

Vs.

I. Venkata Subbaiah S/o.I. Balasubbaiah
Retired Office Superintendent,
House No.25/ 234, Sanjeeva Nagar,
Nandyal (PO), Kurnool District.

...Respondents

For Petitioner : R.S. Murthy

For Respondents : G. P. for Education (TG)



HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON' BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION No.22080 OF 2005

ORDER: (*per V. Ramasubramanian, J*)

The Union of India and the South Central Railway have come up with the above writ petition challenging the order of the Central Administrative Tribunal directing them to grant enhanced D.A. in terms of the decision of the Full Bench. But, the Full Bench gave only the benefit of a circular and not the benefit of enhanced D.A., after retirement. This is clarified by a Bench of this Court in a decision rendered on 02.09.2013 in W.P.No.22078 of 2005 and batch. In other words, the issue raised in this writ petition is covered by a decision dated 02.09.2013 in W.P. No.22078 of 2005 and batch.

2. Hence, the writ petition is allowed and the impugned order is set aside holding that the respondent is not entitled for enhanced D.A., after the retirement, though he will be entitled to the benefit of circular letter, dated 16.12.1997.

3. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

M. GANGA RAO, J

November 15, 2017

KTL