

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N.BALAYOGI

WRIT PETITION No.10149 of 2017

ORDER: (per SK,J)

This writ petition was filed by the Union of India, the Comptroller & Auditor General of India and the Secretary, Ministry of Personnel, Public Grievances and Pensions, Government of India, aggrieved by the order dated 30.06.2016 passed by the Central Administrative Tribunal, Hyderabad Bench, Hyderabad, in O.A.No.021/01171 of 2015. The said O.A. was filed by the first respondent herein assailing the Pension Payment Order dated 04.06.2010 and seeking a declaration that he was entitled to pension of Rs.5,585/- from 01.01.2006. He also sought a direction to the Accountant General to issue a fresh Pension Payment Order determining the minimum pension at Rs.5,585/- per month from 01.01.2006 and to pay arrears of pension from 01.01.2006 till the date of payment of the revised pension within a time frame.

By the order under challenge, the Tribunal allowed the O.A. quashing the impugned order dated 04.06.2010 and directing the respondents therein to sanction a minimum pension of Rs.5,585/- to the first respondent-applicant with effect from 01.01.2006, after deducting the amounts already sanctioned, and to pay him the consequential arrears of pension within a time frame. In default, he was held entitled to the GPF rate of interest from the due date till the actual date of payment.

We are now informed that the Tribunal, relying on the order under challenge presently, disposed of O.A.No.021/1237 of 2015 on 29.11.2016 on the same lines. Aggrieved thereby, the Union of India, the Comptroller and Auditor General of India and the Secretary, Ministry of Personnel, Public Grievances and Pensions, Government of India, filed W.P.No.29613 of 2017

before this Court. By order dated 01.09.2017, this Court dismissed the said writ petition.

In the light of this development, it is not open to the petitioners herein to again seek adjudication of the very same issue which stood confirmed upon dismissal of W.P.No.29613 of 2017.

For reasons alike as were mentioned in the aforestated order dated 01.09.2017 passed in W.P.No.29613 of 2017, this writ petition is dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE N.BALAYOGI

Date:18.04.2018

GJ

