

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION Nos.9010 and 9092 of 2019 & 45187 of 2017

28.08.2019

Between:

Union of India and others

...Petitioners

and

Ms. P. Lakshmi and others

...Respondents

Counsel for the appellants : Mr. B. Narasimha Sarma

Counsel for the respondents: Mr. E. Krishna Swamy

The Court made the following:



COMMON ORDER : (Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)

The Union of India is aggrieved by the orders dated 28.01.2016 and dated 21.12.2016, passed by the Central Administrative Tribunal, Hyderabad Bench, Hyderabad, whereby the learned Tribunal has directed the petitioners to re-fix the pension of the respondents-applicants, and to pay the arrears thereof within a period of three months from the date of receipt of copy of the order.

A bare perusal of the impugned orders clearly reveals that the learned Tribunal has relied upon a Full Bench Judgment in O.A.No.0655 of 2010 and batch, decided by the Principal Bench on 01.11.2011. While quoting the reasoning given by the Full Bench, the learned Tribunal has allowed the O.As., submitted by the respondents-applicants.

This Court has posed a query to the learned counsel for the petitioners whether the Full Bench Judgment has been set aside or modified, either by the Hon'ble High Court of Delhi, or by the Hon'ble Supreme Court? To this query, the learned counsel has fairly conceded that neither the Hon'ble High Court of Delhi, nor the Hon'ble Supreme Court has set aside, or modified the Judgment dated 01.11.2011. Therefore, obviously, the Judgment dated 01.11.2011 has reached a finality.

Since the learned Tribunal has relied on a Full Bench Judgment, which has reached finality, this Court does not find any illegality or perversity in the impugned orders.

For the reasons stated above, this Court does not find any merit in the present writ petitions. There are, hereby, dismissed. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

28th August, 2019
JSU



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