HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND
HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION Nos. 10062, 10272, 10620, 11255, 13167, 19309, 19326, 40800 and 45214 of 2017

COMMON ORDER: *(per the Hon'ble the Chief Justice Raghvendra Singh Chauhan)*

The Union of India is aggrieved by the orders dated 28.01.2016 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 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 Delhi High Court, or by the Hon'ble Supreme Court? To this query, the learned counsel has fairly conceded that neither the 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. They are, hereby, dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.

RAGHVENDRA SINGH CHAUHAN, CJ

Date: 28.06.2019

DR. SHAMEEM AKTHER, J

Pln/Tsr

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(per the Hon'ble the Chief Justice Raghvendra Singh Chauhan)

28.06.2019

pln/tsr