

**STATUS OF THE CASES OF PRE 2006 PENSIONERSS IN VARIOUS COURTS :
AS ON 01.11.2012**

**COMPILED BY M. L. KANAUIA, IRSSE / Chief Communication Engineer, N.E.
Railway, (Rtd.)**

Item	HEARD BY	PETITION NO. & YEAR	LEAD PETITIONER	NEXT DATE FIXED FOR HEARING	REMARKS IN BRIEF
I	CAT-PB Delhi	OA 3079/2009	LR Khatana s29	DOJ 01.11.11	Modified Parity case. Appeal allowed to refix pension in 3 months as per OM dt 29.08.08.
2	CAT-PB Delhi	OA 306/2010	D L Vohra s29	DOJ 01.11.11	Modified Parity case. Appeal allowed to refix pension in 3 months as per OM dt 29.08.08.
3	CAT-PB Delhi	OA 507/2010	PPS Gambhir s29	DOJ 01.11.11	Modified Parity case. Appeal allowed to refix pension in 3 months as per OM dt 29.08.08.
4	CAT-PB Delhi	OA 655/2010	s29 pen.Association	DOJ 01.11.11	Modified Parity case. Appeal allowed to refix pension in 3 months as per OM dt 29.08.08.
5	CAT Hydrabad	OA 2413/2009	AJ Gurushanker	DOJ 09.09.11	Full parity case. Appeal disallowed.
6	AFT-PB Delhi	OA 24/2010	Lt.Com.AvtarSingh	DOJ 14.09.2010	Modified Parity case. Appeal allowed.
7	AFT-PB Delhi	OA 270/2010	Sq.Ldr. V K Jain	DOJ 14.09.2010	Modified Parity case. Appeal allowed.
8	AFT-PB Delhi	OA 139/2009	Lt.Col.PK Kapur	DOJ 30.06.10	Modified Parity case. Appeal allowed.
9	AFT Chandigarh	OA 277/2010	Romesh Chand	DOJ 01.11.2010	Modified Parity case. Appeal allowed.
10	AFT Chandigarh	OA 312/2010	OP Singh	DOJ 01.11.2010	Modified Parity case. Appeal allowed.
11	AFT Chandigarh	OA 313/2010	MS Minhas	DOJ 01.11.2010	Modified Parity case. Appeal allowed.
12	AFT Chandigarh	OA 314/2010	YS Nijjar	DOJ 01.11.2010	Modified Parity case. Appeal allowed.

13	AFT Chandigarh	OA 325/2010	Dildar Singh Sahi	DOJ 01.11.2010	Modified Parity case. Appeal allowed.
14	AFT Chandigarh	OA 326/2010	Gurlochan Singh	DOJ 01.11.2010	Modified Parity case. Appeal allowed.
15	AFT Chandigarh	OA 327/2010	Gurmeet Singh	DOJ 01.11.2010	Modified Parity case. Appeal allowed.
16	AFT Chandigarh	OA 445/2010	Balwant Singh	DOJ 01.11.2010	Modified Parity case. Appeal allowed.
17	AFT Chandigarh	OA 476/2010	Karam Chand	DOJ 01.11.2010	Modified Parity case. Appeal allowed.
18	AFT Chandigarh	OA 257/2010	Jagdish Chandar	DOJ 25.11.2010	Modified Parity case. Appeal allowed.
19	AFT Chandigarh	OA 409/2010	N N Sud	DOJ 25.11.2010	Modified Parity case. Appeal allowed.
20	AFT Chandigarh	OA 410/2010	HS Tonque	DOJ 25.11.2010	Modified Parity case. Appeal allowed.
21	AFT Chandigarh	OA 521/2010	GS Kang	DOJ 25.11.2010	Modified Parity case. Appeal allowed.
22	AFT Chandigarh	OA 522/2010	SS Matharu	DOJ 25.11.2010	Modified Parity case. Appeal allowed.
23	AFT Chandigarh	OA 346/2010		DOJ 25.11.2010	Modified Parity case. Appeal allowed.
24	AFT Chandigarh	OA 728/2010		DOJ 25.11.2010	Modified Parity case. Appeal allowed.
25	AFT Chandigarh	OA 100/2010	SPS Vains M.Gen.	DOJ 04.03.2010	Modified Parity case. Appeal allowed.
26	CAT Patna	OA 284/2009	MMP Sinha	DOJ 28.05.2010	Full Parity case. Appeal Disallowed.

27	CAT-PB Delhi	OA 1732 / 2010	Ram Murti Raina	DOJ 25.05.2010	Prayer for reconsideration allowed but UOI has done nothing in the matter.
	CAT		Dr. KR	DOJ	Full Parity case. Appeals

28	Mumbai	OA 780/2009 + 8	Munim	22.02.2011	Disallowed.
29	CAT Ernakulam	OA 843/2010	S29 and s26 S.Parmasivan Pillai & Ors.	24.11.2011	This prayer was for modified parity and for counting of special pay for pension allowed under DRDO letter dt. 10.10.2008. Appeal allowed to refix pension in 3 months (1) As per OM dt 29.08.08 exactly as pronounced by CAT-PB in case of OA 655 of 2010 (2) Also to count special pay allowed under DRDO letter dt. 10.10.2008, to three of the ten petitioners, namely, S. Paramasivan Pillai. A.K.Prakash and Kalaga Sriharikumari.
30	AFT- PB/Delhi	OAs 106/2009,76/ 2011 and 24/2011	Wg.Comm. V S Tomar & Ors. Vs. UIO	DOJ 07.12.2011	Petition is allowed in part and para 5 of Order dt.11.11.2008 (pension be in no case less than 50% of Minimum of the pay band plus grade pay corresponding to pay scale from which pensioner had retired I discharged, including MSP and X group pay where applicable) struck down being discriminatory and violative of Article 14.
31	CAT- PB/Delhi	Contempt No.158 of 2012	S29 Pensioners Association Vs. UIO & Ors	30.05.2012	This Contempt Petition is against Govt. which has failed to comply the orders of the CAT-PB given in Judgment in case of OA 0655/2010.(see item 4 above). It came up for hearing on 2.03.2012,13.03.12 and 28.03.12. On request from Pensioners Advocate, further proceedings have been postponed till

					09.05.12. Further extended to 30.5.12. In view of case in DHC (see item 61) case dropped by the CAT/PB.
32	CAT Hyderabad	OA 568/2010	s29 pensioners Dr. Kotra & Ors.	DOJ 30.12.2011	Appeal allowed to re-fix pension in 3 months as per OM dt 29.08.08 exactly as pronounced by CAT-PB in case of OA 655 of 2010.
33	CAT Hyderabad	0A931/2010 Clubbed With OA 568/2010	s26 Pensioners.	DOJ 30.12.2011	Appeal allowed to re-fix pension in 3 months as per OM dt 29.08.08 exactly as pronounced by CAT-PB in case of OA 655 of 2010.
34	AFT-PB Delhi	OA 312 of 2010	Sub.Lt. Ram Singh Vs UOI & Ors. (Pl.see item 6,7 and 56)	DOJ 02.01.2012	Govt. has filed Civil Appeal No. 8875 & 8876 in Hon.ble Supreme Court against the Judgment of AFT-PB in OA No. 270 and 24 (see item 6,7 and 56). This case being of similar nature, AFT-PB has therefore, adjourned the case sine-die, till the Judgment of hon.ble Supreme Court, becomes available
35	CAT-PB Delhi	OA 937/2010	s30 pensioners s30	DOJ 06.03.2012	Judgment has come on 6.3.12. s30 full parity case has been dismissed. S29 modified parity case has been held valid based on Judgment dated 1.11.11 in OA 655.
36	CAT-PB Delhi	OA 2101/2010	CG Pensioners s30	DOJ 06.03.2012	Judgment has come on 6.3.12. s30 full parity case has been dismissed. S29 modified parity case has been held valid based on Judgment dated 1.11.11 in OA 655.
					The Court ordered on 20.3.12 that “let the decision of HSC in case

37	AFT-PB Delhi	OA 408 of 2010	Wg.Comm. AK Agarwal Vs UIO	DOJ	of SLP against AFT judgment in OA 106 of 2009 be awaited. Upon hearing of OA 126 , 289 and 408 on 16.8.12, AFT/PB has reserved the Judgment.
38	CAT-PB Delhi	OA 201/2010	M L Gulati s29 Vs UIO	DOJ 29.02.2012	Full Bench Court ordered on 29.02.12 to grant relief within 3 months as given in case of OA 655 Judgment dt. 1.11.11.
39	CAT-PB Delhi	OA 2087/2009	Ran Vir Singh s30	DOJ 29.2.2012	Full Bench Court ordered on 29.02.12 to grant relief within 3 months as given in case of OA 655 Judgment dt. 1.11.11. For equality with post 2006, FB Court ordered to refer the case to Division Bench.
40	AFT-PB Delhi	OA 126 of 2011	Wg.Comm.KG Rao Vs UIO	DOJ	At the request of learned proxy counsel for the petitioner, case is adjourned, at the joint request of parties. Upon hearing of OA 126 , 289 and 408 on 16.8.12, AFT/PB has reserved the Judgment.
41	AFT-PB Delhi	OA 289 of 2011	Lt.Col.BGV Kumar Vs UIO	DOJ	At the request of learned proxy counsel for the petitioner, case is adjourned. At the joint request of parties, listed on 16th August 2012. Upon hearing of OA 126 , 289 and 408 on 16.8.12, AFT/PB has reserved the Judgment.
42	CAT-PB Delhi	OA 1165 / 2011	Pratap Narain & Ors Vs. MOP/fIOP	17.12.2012	Parity for 20 years service. Govt. submitted its Counter on 11.07.12.
43	CAT-PB Delhi	OA 2165 / 2011	KR Srinivasan & Ors Vs. MOP/fIOP	17.12.2012	Parity for 20 years service. Govt. submitted its Counter on 11.07.12.
44	CAT-PB Delhi	OA 247 of 2012	17 Petitioners	17.12.2012	Parity for 20 years service. Govt. submitted

					its Counter on 11.07.12.
45	Lucknow HC	Ser.Ben.203/2010	s29 UP Officers	Not listed. Updated on 31.10.12.	Modified parity case. UOI filed Additional Counter Affidavit on 10.4.2012. Heard on 1.5.12 and 30.8.12. No date fixed thereafter.
46	Delhi HC	WP(C)3359/2010	s29,s26 Ex.Paramil.	Not listed. Updated on 31.10.12.	Modified parity case. Last heard on 16.02.2012.
47	Pun. & Har. HC	CWP19641/2009	RK Agarwal (s29) Rtd.CEEs and XENs	29.11.12	Petitioners Rejoinder not yet submitted.
48	Pun. & Har. HC	CWP19642/2009	Satish Bhalla (s29)	Pending as on 31.10.12	Modified parity case. Last listed on 17.1.12..
49	Pun. & Har. HC	CWP3452/2010	O P Kapur (s29)	Pending as on 31.10.12	Modified parity case. Last listed on 2.3.12.
50	Pun. & Har. HC	CWP12638/2010	M L Kansal (s29)	Pending as on 31.10.12	Modified parity case. Last listed on 24.2.12.
51	Pun. & Har. HC	CWP20725/2010	RK Sehgal (s29)	Pending as on 31.10.12	Modified parity case. Last listed on 24.2.12.
52	Pun. & Har. HC	CWP20726/2010	R K Bali (s29)	Pending as on 31.10.12	Modified parity case. Last listed on 24.2.12.
53	Pun. & Har. HC	CWP20727/2010	B K Jain (s29)	Pending as on 31.10.12	Modified parity case. Last listed on 24.2.12.
54	Pun. & Har. HC	CWP20753/2010	CK Gupta (s29)	Pending as on 31.10.12	Modified parity case. Last listed on 24.2.12.
55	Patna High Court	CWJC 10757/2010	MMP Sinha, s30	Pending as on 31.10.12	Full parity disallowed by CAT Patna. Shri Sinha has appealed in HC/Patna. Last heard on 03.04.2012 but adjourned to 25.06.12.
56	Supreme Court	Contempt Petition (Civil) 64/2009	SPS Vains, Major General & Ors.	10.06.13	Modified Parity case. This case is connected to Civil Appeal 2966/2011.
57	Supreme Court	Civil Appeal 2966 / 2011	UOI Vs SPS Vains Mj. General & Ors	10.06.13	Modified Parity case. This case is connected to Contempt Petition (Civil) 64/2009.
		T.P.(C)			Hon.ble Supreme Court allowed appeal for grant of Rank Pay to be added to fix pension w.e.f. 1.1.1986 with 6 % interest. UOI submitted Review Petition citing

58	Supreme Court	No.56/2007 (Review Petition) Rank Pay Case.	UOI & Ors. Vs NK Nair & Ors.	DOJ 04.09.2012.	financial constraints to implement HSC Judgment .UOI appeal dismissed by HSC on 4.9.12 and directed the Govt. that arrears with 6 %interest from 1.1.2006 to be paid within 12 weeks.
59	Supreme Court	Civil Appeal 8875 -8876 of 2011.	UOI & Ors.Vs. Vinod Kumar Jain & Ors (Avtar Singh)	14.1.2013	This relates to item 6 & 7 above. UOI has gone in appeal with prayer for stay and condonation of delay. Respondents Rejoinder is now submitted. Couldnot be heard on 6.7.12.
60	Supreme Court	Civil Appeal 5367 -5368 OF 2005	Principal Sec. (F & P), Govt. of Andhra Pradesh Vs. A.P. Pensioners Samaj.	Not listed Updated on 31.10.12.	Three Judge Bench Matter. There are no further orders of listing.
					This petition has been filed by UOI in appeal and grant of stay against CAT-PB Judgment dated 1.11.11 in case of OA 655 of 2010 and three other OAs. The hearing took place on 4.5.12. 7.5.12 and 17.7.12. So far, following orders have been passed as available on the DHC Website : (1) This writ petition has been filed against the order dated 01.11.2011 passed by the Central Administrative Tribunal, Principal Bench, New Delhi in OA No. 655/2010 and in other OAs. We feel that it would be

61	Delhi HC	WPC 1535 of 2012	UOI Vs CG SAG s29 Pensioners Association	Court No. 3 29.11.2012	<p>appropriate that the petitioner files separate writ petitions in respect of each of the OAs which were filed before the Tribunal. The present writ petition shall be considered as the writ petition in respect of OA No. 655/2010. The respondent-caveators are represented in the Court. We are issuing formal notice in this matter. They accept notice. The caveat stands discharged. The learned counsel for the respondents state that there would be no necessity to file a counter-affidavit and they would be relying on the pleadings before the Tribunal. List for disposal on 04.05.2012. The learned counsel appearing on behalf of the respondents state that they shall not be pressing their contempt application before the Tribunal till the next date of hearing. (2) An adjournment slip has been filed on behalf of the respondent. Renotify on 29.11.2012.</p>
----	----------	------------------	--	---------------------------	---

