

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 5367-5368 OF 2005

PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE & PLANING DEPARTTMENT., A.P

Appellant (s)

VERSUS

A.P. PENSIONERS SAMAJ & ORS.

Respondent(s)

O R D E R

Aggrieved by the judgment of the Andhra Pradesh High Court dated 23.12.2003 in Writ Petition Nos.16719 and 18490 of 2003, the respondent-State preferred the instant appeals.

The subject matter of the dispute is an order of the Government of State of Andhra Pradesh G.O.Ms.No.87 Finance and Planning (FW:Pen 1)Department dated 25.5.1998. By the said G.O., the Government directed that the pension of the employees of the State be determined on the basis of the last drawn pay. However, the G.O. restricted the application only to the employees who retired from service subsequent to the date of the G.O.

Aggrieved by the said limitation imposed by G.O., those employees who retired prior to the G.O. approached the A.P. Administrative Tribunal, Hyderabad

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vide O.A.No.6030 of 1999 and O.A.No.329/2000.

The said

O.A. were allowed by order dated 3.1.2002 whereby the Tribunal directed that the benefit of above mentioned G.O. be given to the respondent herein, however, with a rider that those who retired prior to the date of G.O.

would not be entitled for arrears of the pension
calculated in terms of the G.O..

Aggrieved by the order, the State of Andhra
Pradesh carried the matter to the High Court by way of
writ petition unsuccessfully and hence these instant
appeals.

We do not see any reason to interfere with the
concurrent conclusion of the High Court as well as of
the Tribunal. The appeals are accordingly dismissed.

.....J.
[DR. B.S. CHAUHAN]

.....J.
[J. CHELAMESWAR]

.....J.
[M.Y. EQBAL]

NEW DELHI
APRIL 30, 2014

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ITEM NO.106

Court No.3

SECTION XIIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 5367-5368 OF 2005

PRINCIPAL SECY., GOVT. FIN. & PLAN. DEPT., A.P

Appellant (s)

VERSUS

A.P. PENSIONERS SAMAJ & ORS.

Respondent(s)

(With appln(s) for directions, vacating stay, early hearing and
office report)

Date: 30/04/2014 These Appeals were called on for hearing
today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN
HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE M.Y. EQBAL

For Appellant(s)

Mr. Koka Raghav Rao, Sr. Adv.
Mr. D. Mahesh Babu, Adv.
Mr. Amit K. Nain, Adv.
Ms. Suchitra Hrangkhawl, Adv.
Mr. Amjid Maqbool, Adv.
Mr. Aditya Jain, Adv.

Mr. B. Rama Krishna Rao,Adv.
Mr. T.V. Bhaskar Reddy,Adv.

For Respondent(s) Mr. S. Balakrishnan,Sr.Adv.
Mr. Ram Lal Roy,Adv.
Mr. R.N. Keshwani,Adv.
Mr. S.N. Jha,Adv.
Mr. Bimal Roy Jad ,Adv

UPON hearing counsel the Court made the following
O R D E R

The appeals are dismissed in terms of the
signed order.

(O.P. SHARMA) (M.S. NEGI)
Court Master Assistant Registrar
(Signed order is placed on the file)