

C. K. Murthy

Vs

Government of Andhra Pradesh

Civil Appeal No. 2630 of 1977

(CJI Y. V. Chandrachud. D. P. Madon, Ranganath Misra JJ)

28.09.1984

ORDER

1. The points which arise in this appeal are the same as those which have been decided today by this Court in Civil Appeal No. 2627 of 1977 - Ahmed Hussain Khan v. State of Andhra Pradesh (1984 Supp SCC 467) heard along with Civil Appeal No. 2628 of 1977 - S. Gopalan v. State of Andhra Pradesh(1984 Supp SCC 467). In view of our judgment in those two appeals, we allow this appeal also and reverse the judgment of the Division Bench of the Andhra Pradesh High Court and set aside the order appealed against. We direct the State of Andhra Pradesh to fix within one month from today the pension payable to the appellant from the date on which he became eligible for payment of pension, that is, from the date on which he retired from Government service, on the basis that the maximum pension admissible under clause (b) of sub-rule (1) of Rule 299 of the Hyderabad Civil Services Rules in Rs 1000 per month in the Government of India currency. We further direct the State of Andhra Pradesh to pay to the appellant the balance of the amount of pension payable to him for the past period according to such re-fixation within one month from the date of re-fixation of his pension.

2. The respondent will pay to the appellant the costs of the appeal in this Court and of the writ petition and the writ appeal in the Andhra Pradesh High Court.

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