

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.146/2002

New Delhi, this 16th day of January, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.K. Agrawal, Member(A)

Hari Mitra Bhandari
100/Type IV, North West Moti Bagh
New Delhi-110 021 .. Applicant

(By Dr. D.C. Vohra, Advocate)

versus

Union of India, through

1. Secretary
Ministry of Home Affairs
North Block, New Delhi
2. Director
Intelligence Bureau
Ministry of Home Affairs
Man Singh Road, New Delhi .. Respondents

ORDER(oral)

By Shri Justice Ashok Agarwal

By the present OA, the applicant has made the following prayers:

(i) An order/direction to the respondents No.1 & 2 to modify their orders dated 26.6.01, 3.7.01 and 18.9.01 that the applicant is treated as ADD/Tech in the pay scale of Rs.14300-18300, instead of JDD/Tech in the pay scale of Rs.12000-16500 in view of his position among the 8 top incumbents of the post of AD/Tech with eligibility for promotion to the post of Dy Dir/Tech being 10 years' service under the R/Rules; and

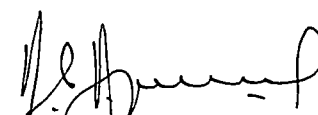
(ii) An order/direction to the Respondents No.,1 and 2 to refix the pay of the applicant in the pay scale of Rs.14300-18300 w.e.f. 5.2.2001 with all the consequential pensionary benefits to him with interest @ 12% per annum for culpable delay in the payment of pension, gratuity etc. due to wrong fixation of applicant's pay in the scale of Rs.12000-165000 instead of Rs.14300-18300.

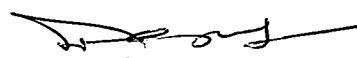
N.E.A.

2. In this regard, applicant has submitted representations on 1.3.2001 (A/6), 19.9.2001 (A/16) and 24.11.2001 (A/20). No decision on these representations has so far been taken. In the meanwhile, applicant has retired on superannuation on 31.7.2001.

3. In the circumstances, we feel that interests of justice will be duly met by disposing of the present OA at this stage even without issue of notice with the direction to the respondents to decide the aforesaid representations by passing a reasoned and speaking order, expeditiously and within a period of three months from the date of service of a copy of this order. We do so accordingly. The present OA may be treated as an additional representation of the applicant.

4. The present OA is disposed of in the above terms. No costs.


(Ashok Agarwal)
Chairman


(S.K. Agrawal)
Member(A)

/gtv/