

Central Administrative Tribunal, Principal Bench

Original Application No.2282 of 2001

New Delhi, this the 1st day of November, 2002

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. S.A.T. Rizvi, Member (A)

Shri M.P. Jain,  
S/o late Shri T.C. Jain,  
R/o 13/4429, Nahar Singh Street,  
Pahari Dheeraj, Delhi

....Applicant

(By Advocate: Shri S.K. Gupta)

Versus

1. Government of NCT of Delhi  
through Chief Secretary,  
I.P. Estate, IG Stadium  
New Delhi.
2. Development Commissioner  
Government of NCT of Delhi,  
5/9, Under Hill Road  
Delhi-54
3. Project Director  
Department of Rural Development  
Mori Gate, Delhi
4. Commissioner  
Department of Food & Supply,  
K-Block, Vikas Bhawan,  
New Delhi-2
5. Commissioner of Excise, Entertainment  
and Luxury Tax,  
L-Block, Vikas Bhawan,  
New Delhi-2
6. The Secretary,  
General Administration Department,  
Delhi Secretariat,  
IP Estate, IG Stadium  
New Delhi-2

....Respondents

(By Advocate: Shri Ram Kaur)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

By virtue of the present application, the applicant prayed for a direction to the respondents to award annual increments w.e.f. 1989 to 31.12.95 in the pay scale of Rs.1400-2300 and consequently fixing the pay in


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the pay scale of Rs.5000-8000. He also prayed for a direction to pay all the arrears of pay and allowances after such fixation in the salary is effected.

2. Learned counsel for the applicant has drawn our attention to the additional counter filed on behalf of respondent no.3. In pursuance thereto, it has been pointed that applicant's pay fixation has been done as per recommendations of the 5th Pay Commission's report. The applicant is drawing salary as per the said recommendation in the revised pay. The arrears of Rs.25,614/- have been paid on 29.7.2002 as a consequence to promotion of the applicant. It has also been pointed that undisbursed salary from September,1989 to December,1989 has been paid and lastly, sorting out of the arrears of the applicant for the period from 1992 to August,2002 is in progress and the same shall be paid within 21 days subject to supply of information sought from the applicant.

3. Learned counsel for the applicant states that he will be supplying all the information within two weeks and otherwise he has no grievance if the effect is given to the affidavit that has been filed by respondent no.3. He states that in case the arrears are not paid as stated in the affidavit, he would take his recourse in the law. Subject to aforesaid, he does not press for the present application and seeks permission to withdraw the same.

4. Allowed as prayed. Subject to aforesaid, dismissed as withdrawn.

  
( S.A.T. Rizvi )  
Member (A)

  
( V.S. Aggarwal )  
Chairman