

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.2493/2001
M.A. NO.2095/2001

New Delhi this the 20th day of September, 2001.

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HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI M.P.SINGH, MEMBER (A)

Yash Pal
S/o Shri Bal Kishan
R/o J-178 Vikas Puri
New Delhi-110018.

... Applicant

(In person)

-versus-

1. The Director General
Council of Scientific and Industrial
Research, 2 Rafi Marg
New Delhi-110 001.

2. The Director
National Physical Laboratory
Dr. K.S. Krishnan Marg
Pusa, East Patel Nagar
New Delhi-110 012.

... Respondents

O R D E R (ORAL)

Justice Ashok Agarwal:-

MA No.2095/2001

We are satisfied with the grounds mentioned in the MA seeking condonation of delay in filing the OA. MA No.2095/2001 is granted.

2. By the present OA, applicant has claimed promotion in the pay scale of Rs.700-1300 (pre-revised) in Group A with effect from 1.9.1982. Applicant had earlier instituted OA Nos.2990/1991 and 1757/1994 claiming the very same relief which he has

Ref

claimed in the present OA. By a judgement and order passed on 8.8.1997, aforesaid prayer has been rejected by ordering as follows:-


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"15. In the light of the above discussion, we come to the following conclusions:-

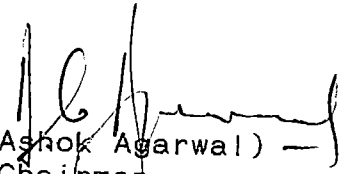
(i) The applicant is not entitled to promotion as Scientist B w.e.f. 1.9.82 in the pay scale of Rs.700-1300 (pre-revised) with consequential benefits..."

3. Aforesaid prayer having been agitated upon and having been rejected, present OA we find is hit by the principles analogous to res judicata. Present OA, in the circumstances, is dismissed in limine.

4. At this stage, applicant makes a prayer for withdrawal of the OA. Prayer is granted. Present OA in the circumstances, is dismissed as withdrawn.


(M.P. Singh)
Member (A)

/sns/


(Ashok Agarwal) -
Chairman