

Central Administrative Tribunal, Principal Bench

Original Application No.2802 of 2001

New Delhi, this the 16th day of October, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. S.A.T. Rizvi, Member (A)

Raj Kumar Sharma
S/o Shri Diwan Chand Sharma,
R/o No.231, Sector-I, R.K. Puram
New Delhi-22

- Applicant

(By Advocate: Shri U. Srivastava)

Versus

Union of India, through

1. Secretary
Ministry of Information & Broadcasting
Shastri Bhawan, New Delhi
2. The Director General
Doordarshan, Doordarshan Bhawan
Mandi House, New Delhi
3. The Director, C.P.C. Doordarshan
Siri Fort, New Delhi
4. The Chief Engineer (NZ)
AIR & Doordarshan
Jamnagar House, New Delhi

- Respondents

O R D E R (ORAL)

By Justice Ashok Agarwal, Chairman

Applicant had earlier filed O.A.No.968/94 claiming benefit of his past military service under Rule 15 of the Fixation of Pay of Re-employed Pensioners Rules for the purpose of fixation of pay and grant of advance increments. Aforesaid OA was allowed by an order passed on 4.12.98 with the following directions:

"8. The respondents are directed to reconsider the fixation of pay of the applicant in the re-employed civilian post and examine whether he is entitled to the benefit of Rule 15 of the Fixation of Pay of Re-employed Pensioners rules, taking into account the facts and circumstances of his case and also in the light of the orders passed by the respondents in respect of another case i.e. the case relating to Shri Satbir Singh (Annexure -3 to M.A.3029/97) and take a decision in this behalf and pass a reasoned and speaking

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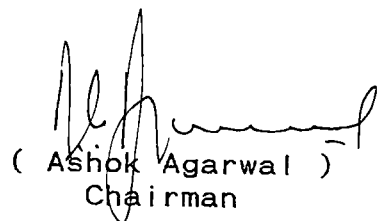
order within a period of two months from the date of receipt of a copy of this order. If the applicant is found eligible for fixation of pay granting him the advance increments as provided under the rules, such a fixation of pay may also be done within one month thereafter and necessary orders in this behalf may also be issued and arrears paid to the applicant accordingly thereafter."

2. Aforesaid order, it is conceded, has been duly complied with. By the present OA, applicant seeks directions for fixation of his seniority and other incidental benefits after counting his 11 years of military service in terms of the decision of the Karnataka High Court in the case of T.P.Thomas vs. Union of India & ors. Applicant has submitted his representation on 21.9.2000 claiming the aforesaid benefits. No decision thereon has so far been taken. Hence the present OA.

3. Having regard to the aforestated facts and circumstances in the case, we find that interests of justice will be duly met by disposing of the present OA at this stage itself even without issue of notices with a direction to respondents to give their decision on the aforesaid representation by passing a speaking and reasoned order expeditiously and within a period of six weeks from the date of service of a copy of this order. We direct accordingly. Present OA is disposed of in the aforestated terms. A copy of this OA may be treated as an additional representation of the applicant.



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



(Ashok Agarwal)
Chairman