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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No.2886 of 2001

New Delhi, this the 5th day of September, 2002

**HON'BLE SHRI M.P. SINGH, MEMBER (A)
HON'BLE SHRI SHANKER RAJU, MEMBER (J)**

Shri D.K. Mehta
Tech Off-B.,
CRRI, New Delhi.

.....Applicant

(None for the applicant even on the second call)

VERSUS

1. Central Road of Research Institute
Delhi-Mathura Road,
New Delhi, through its Director.

2. Council of Scientific and
Industrial Research,
Anusandhan Bhavan, 2 Rafi Marg,
Through its Director.

....Respondents

(By Advocate : Ms. K. Iyer)

ORDER (ORAL)

Hon'ble Shri ^hShanker Raju, Member (J) :

None present for applicant today even on the second call and also from perusal of the previous order sheets, we find that none was present for applicant on previous occasions and, therefore, we proceed to dispose of the present OA in terms of Rule 15 of the CAT (Procedure) Rules, 1987. We have heard Ms. K. Iyer, learned counsel for respondents.

2. Applicant in this OA impugns Office Memorandum dated 10.10.2001 (Annexure H) whereby, in pursuance of the show-cause notice dated 23.6.1999, assessment promotion given to applicant in the Group-III has been withdrawn on the ground that the applicant is

not possessing entry level qualification of Group-II and erroneously placed in the subsequent assessment promotions and the applicant has been placed in Group-II w.e.f. 1.2.1981 in the pay scale of Rs.425-700 on the post of Sr. D/Man (SG).

3. During the course of hearing, learned counsel for respondents made a statement that the case of the applicant is being under process to allow him to submit his option if any and his case would be reconsidered and to be resorted amicably. Our attention has been drawn to a decision of the coordinate Bench in OA No.2879 of 2001 decided on 23.8.2002 in the case of Sevi Charan Vs. Council of Scientific & Industrial Research and another (a copy placed on record), wherein the identical issue was allowed ~~by~~ by setting aside the impugned order and the directions were issued to respondents to restore the consequential benefits to applicant within a specified period. Learned counsel of respondents on our pointing out has failed to ~~to~~ distinguish ^{this} decision from the facts and circumstances of the ~~present~~ ^{present} case.

4. As the case of the applicant is in all fours covered by the decision of the Coordinate Bench, the present OA is allowed and the Annexure H, i.e., Office Memo dated 10.10.2001 is quashed and set aside. Respondents are directed to restore the consequential benefits to applicant within a period of two months from the date of receipt of a copy of this order. No costs.

S. Raju
(Shanker Raju)
Member (J)

M.P. Singh
(M.P. Singh)
Member (A)

/ravi/

for MA for extn of time