

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

C.P.No.157/2002 in
O.A.No.3149/2001

Hon'ble Shri S.A.T.Rizvi, Member(A)
Hon'ble Shri Shanker Raju, Member(J)

Monday, this the 13th day of May, 2002

Shri Vijay Singh, Mazdoor
MES No.370173
s/o Shri Sohan Singh
r/o House No.RZ-33, Durga Park
Gali No.1
Nasirpur Road
Palam.

Petitioner

(By Advocate: Sh. Surinder Singh)

Vs.

1. Lt. Gen. Hari Uniyal
The Engineer-in-Chief
Army Headquarters
Kashmir House
New Delhi - 110 011.

2. Shri Amit Khosla
The Garrison Engineer (P) West
Delhi Cantt. - 110 010.
- ..Respondents

(By Advocate: Shri A.K.Bhardwaj)

O R D E R (Oral)

By Shanker Raju, M(J):
Heard the parties.

2. By an order dated 21.11.2001 the following
directions have been issued:

"In our view the interest of justice would be duly met, if the respondents are directed to consider applicant's representation for payment of salary and allowances from 6.4.98 till 19.11.2001 and pass reasoned and speaking orders within a stipulated period. The respondents are directed to dispose of applicant's representations referred to above by passing a reasoned and speaking order within a period of one month from the date of communication of these orders. The OA is accordingly disposed of. No costs."

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(A)

3. Learned counsel for applicant has stated that applicant ^{is} ~~has~~ without salary since 1998 and no final decision has been arrived ^{at} ~~by~~ by the respondents and he is yet to be paid the arrears of pay and allowances.

4. Shri A.K.Bhardwaj, learned counsel appearing on behalf of the respondents, stated that the respondents have complied with the directions of the Tribunal by issuing an order dated 11.12.2001, wherein it has been referred that in compliance of the directions, the case has been referred to the higher authorities for obtaining the necessary sanction to regularise the absence period of the applicant and the payment will be released immediately on receipt of the sanction.

5. In view of the letter issued by the respondents, we do not find any wilful or contumacious disobedience on the part of the respondents. However, taking a compassionate view of the matter, as the applicant is without salary for such a long period, we are hopeful that the salary would be disbursed to the applicant within ⁱⁿ ~~the~~ period of three months from the date of receipt of a copy of this order.

6. With the above observations, the CP is dismissed. Notices issued to the respondents are discharged. No costs.

S. Raju
(Shanker Raju)
Member(J)

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

/rao/