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Central Administrative Tribunal
Principal Bench

O.A. No. 1331/99

Decided on 31.1.2000

Manjit Singh

... Applicant

(Applicant in person)

Versus

U.O.I.

... Respondents

(By Advocate: Shri Rajinder Nischal)

CORAM

Hon'ble Mr. S.R. Adige, Vice Charman (A)

Hon'ble Mr. Kuldip Singh, Member (J)

1. To be referred to the Reporter or Not? YES

2. Whether to be circulated to other outlying benches of the Tribunal or not? NO

S.R. Adige
(S.R. ADIGE)
VICE CHAIRMAN (A)

(2)

Central Administrative Tribunal
Principal Bench

O.A. No. 1331 of 1999

New Delhi, dated this the 31st January, 2000
Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mr. Kuldip Singh, Member (J)

Shri Manjit Singh,
S/o Shri Inder Singh
R/o Plot No. 381, House No. WZ-151A,
Chand Nagar, P.O. Tilak Nagar,
New Delhi-110018. ... Applicant

(Applicant in person)

Versus

The Secretary,
Union Public Service Commission,
Dholpur House,
New Delhi-110011. ... Respondent

(By Advocate: Shri Rajinder Nischal)

ORDR (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant seeks a direction to Respondents to treat him as promoted to the post of Assistant on ad hoc basis from 23.12.97 to 1.7.98 and refund the recovered amount of Rs.11,109/- to him along with interest @ 18% p.a.

2. We have heard applicant Shri Manjit Singh who argued the case in person and Respondents' counsel Shri Nischal.

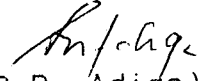
3. Although Respondents had not issued any order promoting applicant to the post of Assistant on ad hoc basis for the period 23.12.97 to 1.7.98, Shri Nischal does not deny that applicant actually did discharge the duties and functions of an Assistant during that period. Under the circumstances he would

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be entitled to the pay and allowances for the post of Assistant for the aforesaid period 23.12.97 to 1.7.98 and Respondents could not legally have recovered the sum of Rs.11,109/- from him which they have done.

4. Under the circumstances, this O.A. is allowed with a direction to Respondents to treat applicant as having been promoted as Assistant on ad hoc basis for the period from 23.12.97 to 1.7.98 and refund the sum of Rs.11,109/- together with interest @ 12% p.a. These directions should be implemented within three months from the date of receipt of a copy of this order. No costs.


(Kuldip Singh)
Member (J)


(S.R. Adige)
Vice Chairman (A)

'gk'