

(8)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.NO.1545/99

Hon'ble Shri Justice V.Rajagopal Reddy, VC(J)
Hon'ble Smt. Shanta Shastry, Member(A)

New Delhi, this the 21st day of March, 2000

Shri Balkishan
s/o Sh. Ratan Lal
H.No.201, Mohalla Dabriya
Town Pilkhuwa
Distt. Ghaziabad - 245 304. Applicant
(Applicant in person)

Vs.

1. Union of India through
Secretary
Ministry of Civil Aviation
Rajiv Gandhi Bhawan
Safdarjung Airport
New Delhi - 110 003.
2. Accounts Officer (Administration)
Principal Accounts Office
Ministry of Civil Aviation & Tourism
Room No.528, Sardar Patel Bhawan
Parliament Street
New Delhi - 110 001.
3. The Controller General of Accounts
Ministry of Finance
Department of Expenditure
7th Floor, Lok Nayak Bhawan
Khan Market
New Delhi - 110 003. Respondents

(By Shri A.K.Pathak, Senior Accountant, Departmental
Representative)

O R D E R (Oral)

By Reddy, J.-

Heard the applicant, who is present in person, and Shri A.K.Pathak, Sr. Accountant, Departmental Representative appears on behalf of the respondents.

2. The OA has been filed to set aside the order dated 7.10.1996 with a direction to the respondents to raise the subsistence allowance from 50% to 75% and to make the payment of subsistence allowance on the basis of the revised pay and finally



to direct the respondents to revise the pay scale of the applicant in accordance with the recommendations of the Fifth Pay Commission.

3. The applicant, who was appointed as Junior Accountant on 11.9.1987, was placed under suspension w.e.f. 14.6.1995 vide order dated 17.7.1995. The main case of the applicant appears ^{to be} ~~is~~ for the payment of increased subsistence allowance as per the Rules.

4. Now that the respondents have passed an order dated 29.2.2000 whereby his suspension has been revoked and the subsequent order dated 10.3.2000 where under in exercise of the powers conferred under FR-54 B sub rule 3 read with sub rule 8 (ibid) ordered reckoning the period of suspension as duty for all purposes, i.e., pay, leave, pension, increments, seniority, etc., ^{therefore} ~~Therefore~~, the grievance of the applicant regarding increased subsistence allowance will not survive.

5. The other grievance regarding the revision of pay scale, if not granted by the respondents, can be agitated by a separate OA as the same cannot be clubbed with the main relief of increased subsistence allowance.

6. The OA is therefore disposed of as above.
No costs.

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(SHANTA SHATRY)
MEMBER(A)

/rao/

Arundhatalay
(V.RAJAGOPALA REDDY)
VICE-CHAIRMAN(J)