

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No. 2165 of 1998

(2)

New Delhi, this 10th day of November 1998.

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER(J)  
HON'BLE SHRI K. MUTHUKUMAR, MEMBER(A)

Sopal Krishan Sharma  
R/o 2534, Chhey Ghara  
Dilarampura  
Delhi.

... Application

By Advocate: Shri Rajiv Bansal, proxy  
counsel for Shri B.K. Aggarwal.

versus

1. Union of India,  
Lt. Governor of Delhi  
National Capital Territory of Delhi  
Raj Niwas  
Delhi 110 054.  
Through,  
Government of NCT of Delhi  
Directorate of Education  
Room No. 2110, Old Secretariat  
Delhi 110054.

2. Ministry of Home Affairs  
through its Secretary  
Ministry of Home  
North Block  
New Delhi.

... Respondent

O R D E R (oral)

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER(J)

Heard Shri Rajiv Bansal, learned counsel for the applicant and perused the record.

2. Learned counsel submits that the respondents have acted in an arbitrary manner in that a similarly situated person, Shri Chottee Lal, Investigator, Delhi Census Office, whereas this has been denied to

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(3)

the applicant who had also served in the Central Department for the period from 3.7.61 to 28.2.63. He further submits that this fact had already been brought to the notice of the respondents in the representation which has been referred to in the earlier order passed by the Tribunal in OA.1562/97 dated 9.7.97. He further submits that the only ground respondent-1 has refused similar treatment to the applicant is that the benefits can be allowed only with the approval of respondent-2.

3. We note that Ministry of Home Affairs/Respondent-2 was also a party in OA.1562/97, but admittedly the order dated 16.3.98 which has been impugned in this OA, has been passed only by respondent-1.

4. In the aforesaid facts and circumstances of the case, OA is allowed and disposed of with the following directions:-

(i) In the light of the order passed by the Tribunal dated 9.7.97 in OA.1562/97, respondent-1 shall further place the relevant papers including the representation made by the applicant, together with the aforesaid order of the Tribunal before respondent-2 who shall pass a reasoned and specific order within one month from the date of receipt of a copy of this order with communication to the applicant.

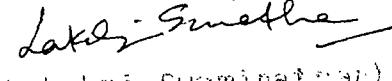
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(iii) Respondents-1&2 shall also, grant personal hearing to the applicant and keep in view their order passed in the case of Shri Chhotey Lal, with whom applicant claims parity before passing the aforesaid order; and

(iv) If any further grievance survives on any such order as may be passed by respondents-1&2, <sup>liberty is</sup> ~~opportunity~~ is given to the applicant to take any appropriate proceedings as are open to him under law.

No order as to costs.

  
(K. Muthukumar)  
Member (A)

  
(Smt. Lakshmi Swaminathan)  
Member (J)