

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

O.A.NO.2331/98

New Delhi, this the 17th day of February, 2000.

HON'BLE MR. JUSTICE V.RAJAGOPALA REDDY, V.C. (J)

Sh. Mohd. Yunus, S/O Sh. Mohd. Yusuf,  
Pharmacy Attendant, Under Pharmaceutical  
Laboratory for Indian Medicine, C.G.O.  
Complex Bld., Ministry of Health & Family  
Welfare, Ghaziabad (UP).

.....Applicant

(By Advocate: Sh. B.L.Madhok, proxy counsel  
for Sh. B.S.Maine)

VERSUS

Union of India : Through

1. The Secretary to the Govt. of India, Ministry of Health & Family Welfare, Indian Red Cross Society Building, 1, Red Cross Road, New Delhi - 110001.
2. The Director, Department of Indian System of Medicine and Homoeopathy Department, Ministry of Health & Family Welfare, Indian Red Cross Society Building, 1, Red Cross Road, New Delhi - 110001.
3. The Director, Pharmaceutical Laboratory, Indian Medicines, Ministry of Health & Family Welfare, Govt. of India, C.G.O. Complex, Ghaziabad (UP)

...Respondents.

(By Advocate: Sh. A.K.Bhardwaj)

O R D E R (ORAL)

The applicant was appointed as Pharmaceutical Attendant on 7.3.84 under respondent No.2. It is the case of the applicant that the respondents inexplicably developed ill will against the applicant and thereby they have been harassing him. The respondents had illegally withheld the increments which were due to him on 1.3.97 and 1.3.98 and three days' pay from 31.12.96 to 2.1.97 has also not been paid though he was entitled for the same as he was on leave which was available to him. The

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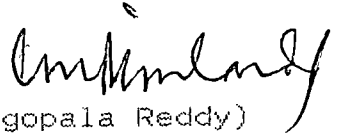
applicant's several representations made on 21.4.1997, 3.7.1997 and 23.8.1997 have neither been responded to nor complied with the requests made therein.

2. Though no reply has been filed, learned counsel for the respondents assisted the Court on instructions.

3. As regards the leave salary is concerned, the applicant himself says that the leave was treated as leave without pay. It is, however, the contention of the learned proxy counsel for the applicant that the leave was due to him hence, he was entitled for the pay. However, as regards increments claimed, there can be no reason for paying them. These matters, however, to be considered by the respondents objectively, pay without any ill will against the applicant, is alleged by him. When the applicant has given two representations in July & August, 1997, the respondents should have considered and disposed of them, which they have not done.

4. In the circumstances, I direct the respondents to consider the representations of the applicant and pass an appropriate order on the grievances made by him in the light of the observations made herein alone, within a period of three months from the date of receipt of a copy of this order.

5. With these directions, the OA is disposed of, No order as to costs.

  
(V. Rajagopala Reddy)  
Vice Chairman (J)

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