

Central Administrative Tribunal  
Principal Bench: New Delhi

...

OA No.54/95

(22)

New Delhi, this the 8th day of August, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)

Shri Chamn Lal Chadha  
R/o Flat No. 114, Pocket No. D/10,  
Sector No. 7, Rohini, Delhi-34. ....Applicant

(By Advocate: Shri B.S. Mainee)

versus

Union of India through

1. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.

2. The Deputy Controller of Stores,  
Northern Railway,  
Shakur Basti,  
Delhi.

....Respondents

(By Advocate: Shri H.K. Gangwani)

O R D E R (ORAL)

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)

The issue involved in this case has been dealt with threadbare by our order passed on 11.4.1994 in OA No. 1579/89. While disposing the said OA by the above said order, this court had directed the respondents to dispose of the representation in order to determine what would be the exact nature of relief available to the petitioner in view of the previous order which had already quashed the impugned order. It was stated by the learned counsel appearing on behalf of the petitioner that the representation, referred to above in the said order, has been duly filed and in reply, respondents stated that the said representation has been disposed of. The controversy has now boils around the fact whether the respondents have

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disposed of the representation and in what terms. The petitioner says that he has not received any such order and the respondents have not produced the copy of the order alongwith the reply either. When this matter came up for hearing on 23rd July, 1997, one more opportunity was given to the respondents to produce the said order and today again the matter is on regular board and we are afraid that this court will not be able to give further time to produce the said order, nor is the record of the case, produced before us.

2. In the circumstances, the only order we would pass is that since the impugned order already stands quashed by our previous order, respondents shall maintain status-quo ante as on 31.12.1996 and give all consequential benefits as if the impugned order never existed.

3. It goes without saying that all the amount recovered in pursuance to the impugned order shall be paid back. In case amount already recovered is not paid back to the petitioner within the time granted by this court, the petitioner will be entitled to an interest @ 12% per annum for further delay.

4. With these directions, this OA is disposed of with no order as to costs. Respondents are also directed to comply with this order within three months from the date of receipt of a copy of thereof.

  
(Dr. Jose P. Verghese)  
Vice-Chairman (J)