

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

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O.A. NO. 1417/1996

New Delhi this the 12th day of August, 1996.

HON'BLE SHRI JUSTICE A. P. RAVANI, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Karma Veer,
Section Officer,
I.C.A.R., Law Section,
Room No-424, Krishi Bhawan,
New Delhi-110001.
R/O G-309, 1st Floor,
Sector-22, NOIDA-201301. ... Applicant

(In Person)

-Versus-

1. Union of India through
Director General, I.C.A.R.
Krishi Bhawan,
New Delhi.
2. The Secretary,
I.C.A.R., Krishi Bhawan,
New Delhi-110001. ... Respondents

(By Shri R. S. Aggarwal, Advocate)

O R D E R (ORAL)

Shri Justice A. P. Ravani —

The applicant was placed under suspension on account of some disciplinary inquiry initiated against him. Since there was no decision with regard to treatment of the period of suspension commencing from April 25, 1991 till December 8, 1994, the applicant has approached this Tribunal praying that the respondents be directed to treat the aforesaid suspension period as on duty for all purposes. It is also prayed that the respondents be directed to consider his case for crossing Efficiency Bar (E.B.) at the stage

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of Rs.2375/- in the pay scale of Rs.2000-3500 on August 26, 1995, with all consequential benefits flowing therefrom.

2. As far as the prayer with regard to treatment of the period of suspension is concerned, it is stated that order No. 12-6/91-Estt.I dated August 9, 1996 has been passed and the period of suspension of the applicant from April 25, 1991 to December 8, 1994 has been treated as on duty, and the applicant has been allowed to draw his annual increments. The grievance of the applicant is that there is no order for payment of the amount which he would be entitled to receive pursuant to the aforesaid order. His ^{grievance} ~~complaint~~ grievance is with regard to the non-consideration of his case for crossing E.B.

3. Having regard to the over all facts and circumstances of the case, we do not think it proper to entertain the application. Instead, if the following directions are given and the application is disposed of, it would meet the ends of justice :-

(1) The respondents are directed to make payment to the applicant pursuant to the order No. 12-6/91-Estt.I dated August 9, 1996, latest by September 16, 1996. If the amount is not paid by September 16, 1996, it shall carry interest at the rate of ^(Fifteen) 15 per cent per annum from the date of this order till the amount is actually paid.

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(2) As far as the consideration of the applicant's case for crossing Efficiency Bar is concerned, the respondents are directed to consider his case for crossing E.B. and take decision thereon latest by October 31, 1996.

(3) The decision that may be taken by the respondents on the question of crossing E.B. by the applicant, shall be communicated to the applicant within a period of three days from the date of taking the decision by registered A/D post and also by ordinary post under certificate of posting.

(4) If the applicant feels aggrieved by the decision that may be taken as regards crossing E.B., it will be open to him to challenge the legality and validity of the same before appropriate forum.

4. Subject to the aforesaid observations and directions, this application stands disposed of.

A copy of this order be supplied to the applicant Dasti.

R. K. Ahooja
(R. K. Ahooja)
Member (A)

A. P. Ravani
(A. P. Ravani)
Chairman

/as/