

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 721 of 1996.

New Delhi this the 29th day of August, 1997

HON'BLE MR. K. MUTHUKUMAR, MEMBER (A)

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Shri P.P. Neogi
S/o Late Shri D.P. Neogi,
R/o G-69/3, Mahavir Enclave,
Bengali Colony,
New Delhi-110 045.

...Applicant

By Advocate Shri K.L. Bhandula

Versus

1. Union of India through
Secretary to the Govt. of India,
Ministry of Water Resources,
Shram Shakti Bhavan,
New Delhi.

2. The Chairman,
Central Water Commission,
Sewa Bhavan,
R.K. Puram,
New Delhi-110 066.

...Respondents

Shri R.K. Shukla, proxy counsel for Shri V.S. R.
Krishna, Counsel for the respondents.

ORDER (ORAL)

Hon'ble Mr. K. Muthukumar, Member (A)

This case has been taken up after several adjournments. The respondents have not even filed the reply and Shri Shukla appears for the respondents.

2. The short point involved in this application is the refixation of the pay of the applicant on 28.11.1996 in the grade/scale of the Extra Assistant Director/Assistant Engineer (Rs.2000-3500) taking into account the service on deputation in Narmada Control Authority. The respondents have rejected his request for refixation


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by the impugned letter dated 27.10.1995 and no reasons have been given. The applicant has produced a certificate issued by the respondents under FR : 26(d)(ii) for the period of deputation from 9.11.1984 to 27.11.1986. On his reversion, he again joined as Extra Assistant Director on 28.11.1996 with the respondents. The period of service rendered by the applicant in the deputation post in the Narmada Control Authority has to be counted as service in the light of the certificate given by the respondents as this is fully covered by the rules.

3. In the light of the foregoing, this application is allowed and the respondents are directed to refix the pay of the applicant taking into account the service rendered by him from 9.11.84 to 27.11.86 in Narmada Control Authority in the scale of Rs.2000-3500 and covered by the certificate of the respondents annexed as Annexure A-3. The aforesaid fixation may be done within a period of 2 months from the date of receipt of a copy of this order.

No costs.


(K. MUTHUKUMAR)
MEMBER (A)

Rakesh