

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 781/1996

(9)

New Delhi this the 15th day of December, 1999.

HON'BLE SHRI JUSTICE V. RAAGOPALA REDDY, VICE CHAIRMAN

HON'BLE SHRI R. K. AHOOJA, MEMBER(A)

R.C. Sharma S/O Chandrabhan Sharma,
Sales Tax Officer (Retired),
1/4971, Street No.2,
Balbir Nagar Extension,
Shahdara, Delhi-110032.

... Applicant

(By Shri R. K. Shukla, Advocate)

-Versus-

1. Govt. of N.C.T. of Delhi through
Chief Secretary,
5, Shamnath Marg,
Delhi-110054.

2. Commissioner of Sales Tax, Delhi,
Bikrikar Bhawan, I.P.Estate,
New Delhi.

3. Development Commissioner,
N.C.T., Under Hill Road,
Delhi.

4. Deputy Director of Agriculture,
Lucknow Region,
Government of Uttar Pradesh,
Lucknow (UP).

5. District Agricultural Officer,
Government of Uttar Pradesh,
Muzaffarnagar (UP). . . . Respondents

(By Shri Munish Kumar for Shri Vijay Pandita, Adv.)

O R D E R (ORAL)

Shri R. K. Ahooja, AM :

The applicant claims that he joined the service of Uttar Pradesh Government at Sitapur on 22.9.1958. He further submits that he applied through proper channel for the post of Extension Officer in the office of the Project Officer, Intensive Agricultural Programme, Delhi Administration and on selection for the said post, he was duly relieved by the Government of U.P. vide relieving

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order dated 1.1.1965, a copy of which has been annexed at A-2. His grievance is that the Delhi Administration are not counting the period of service rendered by him with the U.P. Government between 22.9.1958 and 1.1.1965 as qualifying service for the purpose of pensionary and other retirement benefits.

2. Reply has been filed by respondent No.2, namely, the Commissioner of Salex Tax, Delhi. No reply has, however, been filed by respondent No.4, the Deputy Director of Agriculture, Lucknow Region, Government of U.P. and respondent No.5, the District Agricultural Officer, Government of U.P., Muzaffarnagar.

3. Respondent No.2 has stated in its reply that the issue of past service rendered by the applicant with the U.P. Government is to be decided by respondent No.4, namely, the Deputy Director of Agriculture, Lucknow Region, Govt. of U.P. They further state that no documentary evidence of the past service with the Government of U.P. has ever been made available to respondent No.2.

4. We have heard the counsel. Shri Shukla, learned counsel for the applicant draws our attention to a decision of this Tribunal dated 7.5.1993 in O.A. No.3033/91 : Surender Verma v. Delhi Administration & Ors. In that case also the applicant therein had sought inclusion of certain period of service rendered by him under the U.P. Government towards his pensionary benefits. Observing that the U.P. Government which was one of the respondents had not filed reply nor had put in appearance, directions were issued that

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the U.P. Government should forward the necessary papers to the Delhi Administration within a period of three months whereafter the Delhi Administration should take a final decision in the matter. We consider that a similar order can be passed in the present O.A. as well.

5. Accordingly, we dispose of this O.A. with a direction that respondent No.4 shall forward the necessary papers to respondent No.2 as expeditiously as possible, but not beyond a period of three months from the date of presentation of a certified copy of this order by the applicant to the relevant competent authority. On receipt of the same, the Government of N.C.T. of Delhi shall pass the necessary orders as expeditiously as possible. No costs.

Reddy
(R. K. Ahuja)

Member (A)

Chandrayan
(V. Rajagopala Reddy)
Vice Chairman (J)

/as/