

Central Administrative Tribunal
Principal Bench

O.A. No. 779 of 1997

New Delhi, dated this the 9th January, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

S/Shri

1. P.C. Jain, P. No. 6867680,
U.D.C.,
Central Vehicle Depot,
Delhi Cantt.
New Delhi-110010.
2. Shiam Behari Lal, P.No. 6957604,
U.D.C.,
4 Sub Depot,
Central Vehicle Depot,
Delhi Cantt.
New Delhi-110010. .. Applicants

(By Advocate: Shri A.K. Bhardwaj)

Versus

1. Union of India through
the Secretary,
Ministry of Defence,
Central Secretariat,
New Delhi.
2. The Director Public Grievance/Joint Secretary
Ministry of Defence,
South Block,
New Delhi-110011.
3. The Commandant,
Central Vehicle Depot,
Ministry of Defence,
Delhi Cantt.,
New Delhi-110010.
4. The Director General of
Ordnance Branch (Services),
MGOB,
Army Headquarters, DHQ P.O.
New Delhi-110011. .. Respondents

(By Advocate: Shri S.M.Arif)

ORDER (Oral)

S.R. ADIGE, VC (A)

Applicants seek a direction to respondents to
allow him to carry their previous higher pay drawn by

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(21)

them as L.D.C. at the time of their being declared surplus with effect from the date of their absorption on the lower post with all consequential benefits.

2. We have heard applicants' counsel Shri A.K.Bhardwaj and respondents' counsel Shri S.M. Arif.

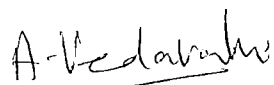
3. We note that this matter has been under consideration of respondents for [^]long time and in this connection Respondents' counsel Shri Arif has invited our attention to letter dated 4.10.2000 from the Directorate General of Ordnance Services requesting for reconsideration of the matter, in the light of [?]the certain Court [?]cases

4. Shri Bhardwaj has invited our attention to CAT, Allahabad Bench's order dated 17.10.90 in O.A. No. 434/86 Shri Shyam Lal Dubey Vs. President of India & others which he contains ^{ends} squarely covers the present case.

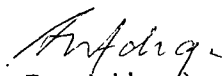
5. We dispose of this O.A. with a respondents to take a final decision in the matter, in accordance with rules and instructions and in the background of the Court's case referred to in D.G., O.S. letter dated 4.10.2000 as well as the order in Shyam Lal Dubey's case ^(supra) to the extent that the same

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are applicable to the facts and circumstances of the present case. These directions should be implemented within three months from the date of receipt of a copy of this order. No costs.



(Dr. A. Vedavalli)
Member (J)



(S.R. Adige)
Vice Chairman (A)

'gk'