

(6)

Central Administrative Tribunal
Principal Bench: New Delhi

CP 268/97
IN
OA 2056/96

New Delhi this the 13th day of November 1997.

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)
Hon'ble Mr K.Muthukumar, Member (A)

Shri Vinod Kumar
S/o Shri Shiv Raj Singh
Village: Basant Pur Santil
P.O. Murad Nagar
Dist.. Gaziabad. ...Petitioner.

(By advocate: Mr O.P. Kalshian)

Versus

1. Shri N. Banerjee
Secretary
Ministry of Defence
South Block, DHQ P.O.
New Delhi - 110 011.
2. Brig. S.S. Chauhan
Secretary
Board of Control
Canteen Service
Quartermaster General's Branch
Army Headquarters, L-I Block
Church Road
New Delhi - 110 001.
3. Maj. Gen Jagdish Chandra
Chairman, Board of Administration
and General Manager, Canteen Stores
Department
"Adelphi", 119 Maharshi Karve Road
Mumbai - 400 020.
4. Shri T.G.R. Nair
Area Manager
Canteen Stores Department Depot
Kirby Place
Delhi Cantt. 110 010 ...Respondents.

(By advocate: Mr S.M. Arif)

O R D E R (Oral)

By Dr Jose P. Verghese, Vice Chairman (J)

By an order dated 31st August, 1994 passed in OA 2416/89, this Court had directed the respondents to release arrears of pay and allowances including GPF from the date of initial appointment as Casual Mazdoor in the Departmental Canteen. Since no payment was forthcoming,

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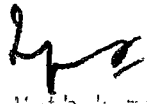
the petitioner filed another OA 2056/96 and this Court by order dated 26th September 1996 directed the respondents to dispose of the representation of the petitioner given on 25.9.1995. Since no reply to the said representation was forthcoming, the petitioner has filed this CP before us and the same has come up for hearing today.

2. Respondents have filed a reply stating that the payment due to the petitioner as per our order dated 31st August 1994 has been made by way of a cheque issued on 23.11.1996 for an amount of Rs. 9644. It is stated that the cheque was not received by the petitioner inspite of tendering the same to him. With regard to the reply to the representation dated 25.9.1995, it is stated that the respondents have passed appropriate orders only after two years, namely, on 7th October 1997.

3. Learned counsel for the petitioner submits that the said reply as per our order dated 26th September 1996 is awefully delayed even as subsequent orders were passed by this Court. Counsel for the petitioner accepts the said amount under protest and on the basis of the undertaking given by the respondents that the break-up of the said amount shall be supplied to him within four weeks from today. In case any discrepancy is found as to what is paid to the petitioner and what is claimed by the petitioner, he may make a detailed representation and the same shall also be disposed of without any delay.

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4. With regard to the delay in disposing of the representation, counsel for the respondents has pointed out that the respondents have tendered an unconditional apology and we are inclined to accept the apology subject to payment of Rs. 500 to the petitioner. The CP is disposed of and notice is discharged.


(M. Muthukumar)
Member (A)


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

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