

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

(11)

OA No.1048/2000

New Delhi this the 23rd day of January, 2001.

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri Govindan S. Tampi, Member (A)

Sh. Bhoop Singh UDC (Dismissed)
from service from 3 AHQ Sig. Regt.
Meerut Cantt R/0 128 Pragati Nagar,
Meerut presently residing at H.No. 946, Gali No. 1, G-Block, Sangam Vihar,
New Delhi. .Applicant

(None for the applicant)

Versus

Union of India through

1. The Secretary
Ministry of Defence, New Delhi.
2. The Director General of Signals,
Signals 4(C)G.S. Branch, AHQ. DHQ,
P.O. New Delhi.
3. The Commandant, AHQ Signals, Signals
Enclave, New Delhi.
4. The Commanding Officer, 2 AHQ,
Signals Regiment, Meerut Cantt.

. Respondents

(By Advocate Shri Gajinder Giri)

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member (J):

The applicant has filed this application seeking quashing of Para 8 of the impugned order passed by the Appellate Authority dated 2.3.2000 so far as it relates to payment of dues of the applicant pertaining to his suspension period w.e.f. 18.10.1994 to 31.10.1998 with arrears of payment in the revised rate and costs of the application.

2. Shri Gajinder Giri, learned counsel has taken a preliminary objection that the applicant has not cared to mention the fact that he had filed another

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application(OA 489/2000) before the Tribunal which was disposed of by the Tribunal's order dated 10.4.2000(Annexure R.1). In this OA he had challenged the same order passed by the appellate authority dated 2.3.2000 which has been upheld by the Tribunal.Civil Writ Petition No.6495/2000 filed by the applicant before the Hon'ble Delhi High Court has also been dismissed by the order dated 1.11.2000, copy placed on record. This OA has been filed on 30.5.2000 praying for setting aside part of the same impugned order dated 2.3.2000. Learned counsel for the respondents has, therefore, submitted that in the facts of the case, the prayer of the applicant is wholly barred by the principles of res judicata.

3. The applicant has also filed MA 2753/2000 in which he has prayed for a direction to the respondents to release the amounts of GPF,CGEIS ~~from~~ JCDA (Funds), Meerut with 18% interest. To this, the respondents have submitted that the applicant was required to sign certain documents and give the requisite receipts for which the applicant had been informed. Sh.Gajinder Giri, learned counsel has submitted that the amounts due to the applicant will be released to him in accordance with the rules subject to his completing necessary formalities.

4. Noting the above order of the Tribunal, including the order dated 10.4.2000 in OA 489/2000 and the order of the Delhi High Court dated 1.11.2000, the application is liable to be dismissed as barred by the

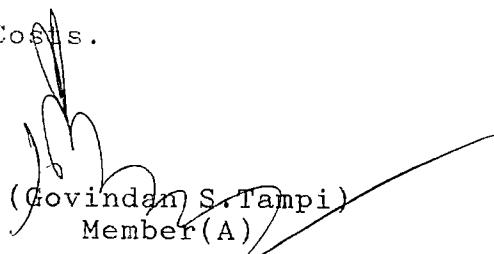
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principles of res judicata. However, we further note that the respondents have themselves ~~have~~ stated in their reply to MA 2753/2000 that the amounts due to the applicant by way of GPF, CGEIS and other benefits will be released to him in accordance with the relevant rules. This shall be done within one month from the date of receipt of a copy of this order after completion of necessary formalities by the applicant in accordance with the rules. The prayer for interest is rejected.

5. In the result for the reasons given above. O.A. is dismissed subject to the above observations. No

Cos. s.


(Govindan S. Tampli)
Member(A)


(Smt. Lakshmi Swaminathan)
Vice Chairman(J)

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