

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.1052/2000

New Delhi this the 19th day of April, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

B.S.Saxena, L.D.C.
Central Ordnance Depot
Delhi Cantt.
New Delhi.

Applicant

(Applicant in person)

-versus-

1. Union of India, through
Secretary
Ministry of Defence
New Delhi.
2. The Director General of Ordnance Services
Master General of Ordnance Branch
Army Headquarters
D H O. P.O.
New Delhi - 110 011.
3. The Army Ordnance Corps Records
P.B.No.3, Trimulgherry P.O.
Secunderabad - 500 015.
4. The Commandant
Central Ordnance Depot
Delhi Cantt.
New Delhi.
5. C.D.A.
Western Command
Chandigarh.
6. Dy Controller
Area Account Office
C.O.D. Delhi Cantt.
New Delhi - 110 010

Respondents

(By Shri S.K.Gupta, Advocate)

O R D E R (ORAL)

Shri S.A.T.Rizvi, Member(A):-

Applicant in the present OA seeks fixation of
his subsistence allowance from 1.1.1996 to 14.11.1996
in accordance with the pay revision made in

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consequence of the Fifth Central Pay Commission recommendations. He has already been placed in the revised scale of pay with effect from 1.1.1996. In regard to the rate of payment of subsistence allowance, an averment has been made by the applicant in his OA that by virtue of this Tribunal's order of 30.10.1995, he was granted payment of subsistence allowance at the rate of 75% of pay in the old/unrevised scale and he was getting payments accordingly right upto 31.10.1996 in the same old/unrevised scale. There is no dispute about this position. All that remains, therefore, is the payment of subsistence allowance to the applicant @ 75% in the revised pay scale in respect of the period from 1.1.1996 to 14.11.1996 minus the sum already paid according to the old/unrevised scale of pay. He is, ^{therefore} according~~ly~~ entitled to receive subsistence allowance for the said period in accordance with the revised scale minus payment already made under the old scale. There is no dispute about this position either.

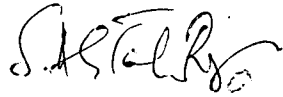
2. The relief prayed for is consequently allowed and the respondents are directed to make payments aforesaid in six weeks' time from the date of receipt of a copy of this order.

3. Present OA is disposed of in the

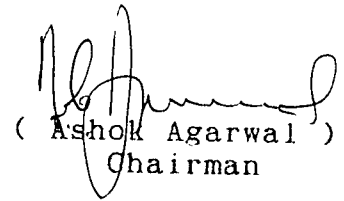
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aforestated terms without any order as to costs.

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(S.A.T. Rizvi)
Member(A)



(Ashok Agarwal)
Chairman

/sns/