

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1179/2000

New Delhi, this 30th day of March, 2001

Hon'ble Shri Kuldip Singh, Member(J)
Hon'ble Shri M.P.Singh, Member(A)

Babu Lal Gupta :
2118/B, Chah Indara, Delhi-6 .. Applicant

(By Shri S.Lalwani, Advocate, not present)

versus

Govt. of NCT of Delhi, through

1. Chief Secretary
Old Sectt., Delhi
2. Director of Education
Old Sectt. Delhi .. Respondents

(By Shri Mohit Madan, proxy for Mrs. Avnish Ahlawat,
Advocate)

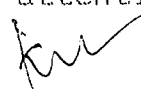
ORDER

By Shri M.P. Singh

By filing this OA, applicant seeks a variety of multifarious reliefs inasmuch as he wants fixation of pay and difference of arrears thereof along with interest thereon from 27.4.65 till his date of his retirement on 30.9.99 as Physical Education Teacher (PET, for short).

2. None appeared for the applicant. We have heard the proxy counsel for the respondents and perused the records.

3. Respondents have opposed the OA on the ground of limitation. They have also contended that as a result of wrong fixation of his pay in the pay scale of Rs.7500-12000 instead of Rs.6500-10500, he has been overpaid a sum of Rs.36,843 which is to be recovered from him. The counsel drew our attention to the



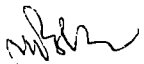
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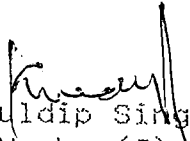
decision dated 12.10.99 in OA No.1638/98 holding that PETs are entitled to the pay scale of Rs.6500-10500 from 1.1.96. This was filed by similarly placed persons and the Tribunal ordered recovery of excess payment made from the individuals.

4. We find that the applicant has not disclosed details as to how he is entitled for the reliefs sought for. On the other hand, respondents have stated on oath that all the dues payable to the applicant have been paid to the applicant and a certificate to this effect is also placed on record alongwith the reply.

5. Proxy counsel for the respondents also drew our attention to the decision of the coordinate Bench of this Tribunal dated 25.7.2000 by which OA No.2457/99 seeking similar reliefs was dismissed on merits. In fact this decision was a follow up the judgement dated 26.10.99 in OA No.1638/98 and a bunch of cases filed by similarly situated persons, by which all the OAs were dismissed on merits.

6. We have no doubt that the present OA is covered in all fours by the decisions in the aforesaid OAs. In view of this position, we do not want to take a different view contrary to the above. In the result, the OA is dismissed being devoid of merit. No costs.


(M.P. Singh)
Member(A)


(Kuldip Singh)
Member(J)

/gtv/