

Central Administrative Tribunal, Principal Bench
New Delhi

O.A. No.2433/2000

New Delhi this the 21st day of August 2001

Hon'ble Mr. M. P. Singh, Member (A)
Hon'ble Mr. Shanker Raju, Member (J)

Shri Rakesh Kumar Gupta
S/o Shri Kanhaiya Lal Gupta
R/o 210, Delhi Administration Flats,
Nirmi Colony, Ashok Vihar Phase-IV,
Delhi-110052.

(Presently working as P.G.T. (Political Science
in Deen Dayal Upadhyay,
Govt. Sarvodya Vidyalaya, Rouse Avenue,
Deen Dayal Upadhyay Marg,
New Delhi - 110002.

(By Advocate : Shri Chittaranjan Hati)

- Applicant

Versus

1. N.C.T. of Delhi
Through : Director of Education
Old Secretariate, Delhi-54.
2. The Principal,
Govt. Boys Senior Secondary School,
(Under N.C.T. of Delhi)
H- Block, Sultan Puri,
Delhi - 110041.

- Respondents

(Shri Dharam Pal Chhikara, L.A., Deptt. Representative)

O R D E R (ORAL)

Hon'ble Shri Shanker Raju, Member (J):

The applicant has a grievance regarding non-payment of salary for which he had approached this Tribunal twice and lastly by an order dated 29.5.2000 in OA No.1343/1999 direction was given to the respondents to put applicant to notice within one month from the date of receipt of a copy of the order specifying the exact periods of time during which the applicant was absented himself and on receipt of such notice applicant was called upon to furnish his detailed reply

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and the respondents were directed to pass a detailed, speaking and reasoned order within one month from the date of receipt of applicant's reply.

2. In compliance a Memo dated 18.1.2001 was issued by the respondents to which the applicant has filed the reply on 4.8.2001. The applicant has filed the present OA on 14.11.2000 without awaiting for six months from the date of filing of the reply. Consequently respondents in their reply have annexed Memo dated 18.1.2001, whereby on compliance of the directions of the Tribunal, the claim of the applicant has been considered and rejected. We find that in the present OA, there has been no challenge to this order dated 18.1.2001.

3. In view of the above, the present OA is premature. However, keeping in view the disability of the applicant and the cause of action is recurring regarding loss of salary. We dismiss the present OA as not maintainable. However, the applicant is at liberty to assail the impugned order dated 18.1.2001 by filing a fresh OA in accordance with law if so advised. No costs.

S. Raju
(Shanker Raju)
Member(J)

Mh
(M.P. Singh)
Member(A)

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