

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

CP NO. 644/2001 &
MA NO. 2693/2001
OA NO. 320/2000

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New Delhi, this the 7th day of December, 2001

HON'BLE SH. V.K.MAJOTRA, MEMBER (A)
HON'BLE SH. KULDIP SINGH, MEMBER (J)

1. Kamal Singh
S/o Shri Sabhu Sing,
Aged about: 38 years,
R/o Quater No.247,
Block-76, Sector-I,
DIZ Area, Cole Market,
New Delhi.
2. Shiv Charan
S/o Shri Chandika Prasad,
Aged about: 39 years,
R/o C-8/339,
Sultan Puri, Delhi.

And Employed as :
Drivers in the Council of Scientific
And Industrial Research,
C.S.I.R. Complex, Pusa,
New Delhi-12.

(None)~

Versus

Shri R.A. Mhashelkar
Director-General,
Council of Scientific and Industrial Research,
Rafi Marg,
New Delhi-110001.

(By Advocate: Sh. Rahul Roy)

O R D E R (ORAL)

By Sh. V.K.Majotra, Member (A)

OA-320/2001 was disposed of vide order dated 10.5.2001
with the following deirections to the respondents:

"In the result, I allow this OA with a direction to respondents to pay the applicants the difference of salary and allowances of the post of Staff Car Driver minus the wages which has already been paid to them as group 'D' staff with effect from the date they have been performing the duties of Staff Car Driver. These directions should be implemented within a period of three month from the date of receipt of a copy of this order. No costs."

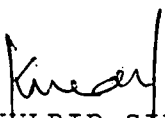


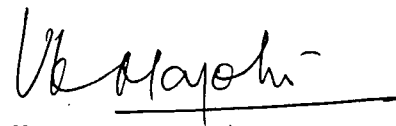
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2. Drawing attention to the compliance affidavit of the respondents learned counsel stated that respondents have made relevant payments to the applicant and that they have filed copies of the related cheques as well. He further stated that an additional payment relating to overtime amounting to Rs.31,228/- to Sh. Kamal Singh and Rs.34,855/- to Sh. Shiv Charan have also been paid to them. There has been some delay in implementation of the orders of the Tribunal for which the learned counsel expressed apology on behalf of the respondents.

3. In the light of the above explanation of the learned counsel, the CP is dismissed.

4. In MA-2693/2001 in CP-644/2001, it is alleged that the respondents have been misusing the applicants in the post of Chowkidars although they continue to perform their duties as Drivers. They have also sought that the respondents should be restrained from using the applicants as Chowkidars instead of Drivers. This kind of MA is not maintainable in a CP. If the applicant has any grievance he could approach the Tribunal by way of a separate OA. This MA is, therefore, dismissed.


(KULDIP SINGH)
Member (J)


(V.K. MAJOTRA)
Member (A)

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