

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI.

* * *

Date of Decision: April 06, 1992.

DA 1916/89

RAJ BALI SHARMA ... APPLICANT.

Versus

UNION OF INDIA & ORS. ... RESPONDENTS.

CORAM:

THE HON'BLE SHRI J.P. SHARMA, MEMBER (J).

For the Applicant ... Shri R.L. Sethi, Counsel.

For the Respondents ... Shri K.C. Gupta, proxy
counsel for Shri Romesh
Gautam.

1. Whether Reporters of local papers may be
allowed to see the judgement ?

2. To be referred to the Reporters or not ?

JUDGEMENT (ORAL)

(DELIVERED BY HON'BLE SHRI J.P. SHARMA, MEMBER (J).)

The applicant is permanent Shunter Grade-8,
employed in Loco Foreman, Northern Railway, Tundla.
By the order dated 13.12.1986 applicant was required
under DME orders to work as Power Controller Tundla
(Special Duty) from 14.12.1986. It is stated that
the applicant is performing the duties but the applicant
was not being paid Special Duty Allowance from 14.12.1986
till date inspite of fact that Loco Foreman, Northern

Railway Tundla recommended the case of the applicant in writing to DRM, Northern Railway, Allahabad. It was further stated that the applicant's Provident Fund was also not showing correct deposits. It is also said that the applicant qualified and passed P: CE-2 course on 2.6.1986. The applicant, therefore, assailed the ~~discriminated~~ treatment in the matter of non-payment of 30% Special Duty Allowance etc.

2. The applicant has claimed relief that the respondent D.R.M., Northern Railway, Allahabad be directed to release the Special Duty Allowance and to correct the applicant's Provident Fund Accounts No.406564/16023 and requested to correct the applicant's account. He also prays for next promotion.

3. I have heard the learned counsel for the applicant and none appeared for the respondents to argue the matter as it is stated that they have not received any instructions from the department. The learned counsel for the applicant prays that the respondents be directed to dispose of the representation dated 26.9.1988 and 8.9.1988. Representation dated 8.9.1988 is in the record and at page 13 of the paper book.

4. However, the applicant is free to make fresh representation to the respondent No.2 through the respondent No.3 contending all facts and figures along with a copy of the representation dated 8.9.1988 and

a copy of the original application filed in this case within a period of six weeks from today. The respondents are directed to dispose of the representation of the applicant within 12 weeks thereafter. If the applicant is still aggrieved he can agitate in the appropriate court, if so advised, in the proper forum.

J. P. SHARMA
6.4.92

(J. P. SHARMA)
MEMBER (J)