

21-3-1990

OA No.2360/89

J.S. Chahal Vs. U.D.I.

Present: Sh. P.P.S. Aluwalia, Counsel for the applicant.  
Mrs. Avinash Ahlawat for respondents No.3  
Shri V.S.R. Krishna Proxy Counsel for Sh. M.L.Verm

The Ld. proxy Counsel has filed a copy of the Govt. of India order dated 16.3.90 wherein the post occupied by the applicant has been upgraded as Joint Director General (Civil Defence) in the D.G.C.D. Unit of the Ministry of Home Affairs and given a status equivalent to the responsibilities of the post of Joint Director, CBI as specified in Schedule III of IPS (Pay Rules 1954).

The Ld. proxy Counsel for the respondents also filed a copy of the notification of the same number issued by the Government of India on 16.3.90 according to which the above post has been upgraded w.e.f. 17.5.89 to 31.3.90.

While the relief prayed for in the OA 2360/89 has been granted by the respondents, it is restricted up to only 31.3.1990. The Ld. Counsel for the applicant therefore pressed that the matter may further<sup>be</sup> heard after the respondents file a counter. He may also be permitted to file a supplement to the OA. Keeping in view the submissions made and the intent of respondent No.1 (UDI), brought to our notice by Ld. proxy Counsel, to continue the applicant in the higher scale of pay either in the upgraded post or in an equivalent post, we do not consider it necessary to go into further details at this stage. We would, however, direct the respondents to make the intention of the Central Government clear, reporting continuing the applicant on long term/regular basis in the higher post, by filing a written submission<sup>to</sup> that the matter can be finally disposed of. List before the Bench on 2.4.90 for further directions.

*I.K. Rasgotra*  
(I.K. Rasgotra)  
Member(A) 21/3/90

*T.S. Oberoi*  
(T.S. Oberoi)  
Member(J)

2.4.1990.

Present: None for the applicant.  
Shri V.S. R. Krishan, proxy Counsel alongwith Shri K.K. Kalra,  
Desk Officer, on behalf of the respondents.

The Ld. proxy Counsel filed a copy of the order dated 30.3.1990 passed by the respondents, according to which the applicant has since been repatriated to his parent state. The Ld. Counsel also pleaded that ~~there is~~ <sup>now</sup> nothing remains in the OA and therefore the OA is dismissed as satisfied. The Ld. Counsel also pointed out that with regard to the emoluments of the applicant, earlier order passed by this Tribunal sufficiently protects his interests. In view of the above, the application is dismissed as satisfied.

*I.K. Rasgotra*  
(I.K. Rasgotra)  
Member (A)

*T.S. Oberoi* 2/4/90  
(T.S. Oberoi)  
Member (J)