

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
DELHI.

REGN. NO. OA 296/88.

August 3, 1988.

Shri Krishan Lal ... Applicant.

Vs.

Union of India & Ors ... Respondents.

CORAM:

Hon'ble Mr. Justice K.Madhava Reddy, Chairman.

Hon'ble Mr. Kaushal Kumar, Member.

For the applicant ... Shri K.B.Rohatgi, counsel.

(Judgment of the Bench delivered by Hon'ble
Mr. Justice K.Madhava Reddy, Chairman).

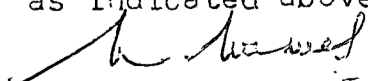
Much water has flown since the filing of
this application. Against the decision of this
Tribunal in CA 140/86, the applicant has moved the
Supreme Court by SLP No.4744/87 which was disposed of
with the following direction:

"The Special Leave Petition is permitted
to be withdrawn as prayed for. Counsel
says that there is a representation of
the petitioner, pending disposal. The
Administrative Authorities are directed
to dispose of that representation".

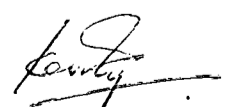
The applicant who was initially promoted on ad-hoc
basis was subsequently promoted on regular basis on
the recommendations of the DFC. Now the only question
that remains for consideration is whether he should



get the benefit of his earlier ad-hoc service in the matter of seniority and pay. The representation he has made to the Government covers both these aspects. It is stated on behalf of the applicant that pursuant to the order of reversion, the respondents are seeking to recover some amounts. The representation made by the applicant covers this aspect also and in this application he prays that the respondents should be restrained from recovering the same. Since the Supreme Court has directed that the representation of the applicant be disposed of by the Administrative Authorities, the representation is pending consideration by them. If it is accepted by them, then there would be no occasion for this Tribunal to pronounce on the merits of his claim. If his representation is rejected, then obviously he will have to challenge the order of rejection by seeking an amendment of this application. In view of the direction of the Supreme Court, this application as it stands cannot be taken and disposed of on merits. We, therefore direct that the respondents do dispose of the applicant's representation as directed by the Supreme Court and pending disposal of that representation, the respondents shall not recover the amount sought to be recovered from the applicant consequent upon the order of reversion. This application is disposed of accordingly. Direction as indicated above shall issue.



(Kaushal Kumar)
Member
3.8.1988.



(K. Madhava Reddy)
Chairman
3.8.1988.