

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

M.P. 2636/91
C.C.P. 198/90
M.P. 142/92 in
O.A. 606/86

Decided on : 20.1.1992

Sanjeev Kumar Sharma ... Petitioner

Vs.

Union of India & Ors.

CORAM

HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN
HON'BLE MR. P. C. JAIN, MEMBER (A)

Shri K. L. Bhandula, Counsel for the Petitioner

Shri B. K. Aggarwal, Counsel for the Respondents

ORDER (ORAL)

(Hon'ble Mr. Justice V. S. Malimath, Chairman) :

We do not consider it necessary to pursue these proceedings for the reason that there is no specific direction so far as the bonus is concerned in the judgment passed in the OA. The respondents at one time thought that they are liable to pay the bonus to the petitioner and at a later stage have said that on further examination, they had found that the petitioner is not entitled for bonus. It is not in dispute that such a question cannot be adjudicated upon in these proceedings. We are concerned here only with the implementation of the judgment passed by the Tribunal. As already stated, there is no direction in regard to the bonus for any particular period. Hence, we cannot examine this aspect of the matter.

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2. So far as the arrears of emoluments are concerned, the respondents have given a statement of calculations. The petitioner's counsel submits that he has made particular claims and it was for the respondents to have stated as to why the particular claims made by the petitioner in his statement are not, in their opinion, admissible. That not having been done, it was stated that they should be called upon to make a statement in this behalf. We are, however, inclined to take the view that the respondents having given their own statement, the petitioner ought to proceed on the basis that his memo of calculation must be deemed to have been rejected by the respondents. It is on that basis that the petitioner may work out his right in accordance with law, if he is still of the opinion that something more is really liable to be paid to him. Without prejudice to that right of his, we drop these proceedings. The CCP and both MPs stand disposed of.

(P. C. JAIN)
MEMBER (A)

(V. S. MALIMATH)
CHAIRMAN

as