

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
DELHI.

REGN. NO. QA 544/87.


22.4.1987.


Shri V.Kanakarajan Vs. Union of India.and ors.

Applicant in person.

Admit.

Applicant is permitted to take out notice
Dasti. Notice by Registered post may also be issued.
Notice returnable on 12.5.1987.


(Kaushal Kumar)
Member
22.4.1987.


(K. Madhava Reddy)
Chairman
22.4.1987.

4.5.1987.

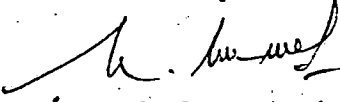
Applicant in person.

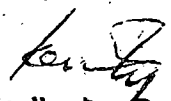
Shri B.S.Maine, counsel on behalf of
Shri J.C. Singal, counsel for the respondents
present.

Counsel for the respondents requests 4 weeks
time for counter. Counter on or before 4.6.1987.

Rejoinder, if any, within 15 days thereafter.

To come up before the Dy.Registrar on 25.6.1987.


(Kaushal Kumar)
Member
4.5.1987.


(K. Madhava Reddy)
Chairman
4.5.1987.

MP NO 559/87 has been filed
Counter not filed.

M.P. No. 559/87
O.A. No. 544/87.

12.5.1987

Applicant present in person.

Respondents by Shri J.C. Singhal, counsel.

In this Misc. petition, the applicant has ^{inter-alia} sought for

directions:-

- (i) to repost him as an Executive Engineer at Madras,
- (ii) sanction of leave and payment of leave salary for the periods for which he has already made an application, and
- (iii) payment of arrears of salary and other benefits due to him from 1.1.1986 on the implementation of the recommendations of the Fourth Pay Commission and the orders made thereby by the Government.

2. Shri V. Kanakarajan, applicant in the case, appeared in person and urged for issue of interim directions sought by him pending disposal of his main application.

3. Shri J.C. Singhal, counsel, who has been served with this M.P. which runs to 8 pages only on 8.5.1987, opposes the same.

4. Even according to the applicant, the order of reversion made against him as early as on 21.5.1986 has been executed by posting some other person in the post he earlier held. If that is so, we cannot, at this stage, interfere with the reversion order and issue a direction to the respondents to re-post him to the post of Executive Engineer. We, therefore, reject the prayer of the applicant for directions to re-post him as an Executive Engineer pending disposal of this application.

5. As regards the claims of the applicant for sanction of leave and payment of leave salary and arrears of pay from 1.1.1986 on the implementation of the recommendations of the Fourth Pay Commission, they have necessarily to be examined and decided by the respondents even without waiting for the disposal of the main application pending before this Tribunal. The claim of the applicant for leave of absence already made before the Railway Administration, cannot be held up on the ground that an application challenging the various actions of the Railway

Administration is pending before the Tribunal. So also ~~for the~~ *claim of the applicant for* ~~case~~ for payment of arrears of pay from 1.1.1986 on the

implementation of the Fourth Pay Commission. We are of the view that the respondents should be directed to examine these claims and settle them with all expedition. We, therefore, direct the respondents to consider the claims of the applicant for sanction of leave and payment of leave salary and arrears

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of pay due to him from 1.1.1986 on the basis of the recommendations of the Fourth Pay Commission and make payment of the amounts that ^{are} ~~may be~~ due to him with all such expedition as is possible in the circumstances of the case. M.P. No. 559/87 is disposed of in the above terms.

The respondents have been granted time ^{file} to the their reply on or before 4.6.1987 and the case is to be called on 25.6.1987. We direct that these directions shall stand.

*R1, 348-1
R2-A
Comm. No. 110 d
M. 24.6.87
not filed*

12/5/87

(K.S. Puttaswamy)
V.C.

17/5/87

(Birbal Nath)
A.M.

25.6.1987

Present : Applicant in person.

Mrs. F.S. Shedde, Deputy Chief Personnel Officer, departmental official for respondents No.1 to 6.

Respondents were directed to file the counter on or before 4th June, 1987. However, it was filed on 24th June, 1987. The respondents are directed to file an application with condonation of delay.

As and when such application is filed the same should be placed before the Hon'ble Court for appropriate orders.

Copy of the counter has also been served on the applicant. Rejoinder to be filed on or before 16.7.87. To come up on 16.7.1987.

Applicant asking another date on or after 24-7-87. That day he would file Rejoinder.

V.K. Shali

(V.K. SHALI)
Deputy Registrar
25.6.1987

16.7.1987

Present : None

To be listed on 24.7.87.

Rejoinder not filed.

V.K. Shali

(V.K. SHALI)
Deputy Registrar
16.7.1987

24.7.1987

Present : Applicant in person.

Sh. J.C. Singal for the respondents.

The applicant has stated that he will be filing the rejoinder within one week. Let the matter be put up on 30.7.1987.

Rejoinder not filed.

V.K. Shali

(V.K. SHALI)
Deputy Registrar
24.7.1987

30.7.1987

Present : Applicant in person.

None for the respondents.

Rejoinder to be filed within 1 week. To
be listed on 7.8.1987.

V.K. Shali

(V.K. SHALI)
Deputy Registrar
30.7.1987

7-8-87

Remotify on 24-8-87.

Ram Shasana
7-8-87

3-9-87

listed today

Remotify on 11-9-87.

Ram Shasana
3-9-87.

MP No. 988/87 in
OA No. 544/87

24.8.87

Petitioner in person.

Respondents through Shri J.C. Singhal, Counsel


We do not see any reason to direct the record to be produced at this stage. However, the relevant record shall be kept ready for production at the time of final hearing. Ordered accordingly. MP No. 988/87 stands disposed of as above.

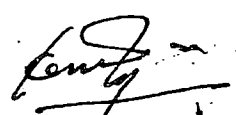
MP No. 989/87
in OA No. 544/87

This is a petition for hearing OA No. 544/87⁸⁷ early.

We do not see any reason to give precedence to this case over several other cases which raise similar question and which also include cases of removal from service. The matter may be listed for final hearing in the usual course. MP No. 989/87 stands disposed of as above.

The learned counsel for the Respondents states that only because the petitioner has not joined duty so far, the Respondents are not in a position to give him a posting. However, if the petitioner reports for duty, he will be given a posting.


(Kaushal Kumar)
Member


(K. Madhaya Reddy)
Chairman

11.9.87

Present : None for the applicant.

Sh. J.C.Singhal for the respondents.

Pleadings of the case are complete, Let the matter
be placed on board for final hearing.



(V.K.SHALI)
Deputy Registrar

MP No.1127/87 in
OA No.544/87

18.9.87

Petitioner present in person.

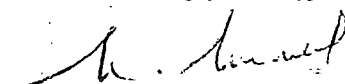
Respondents through Shri J.C.Singhal, counsel

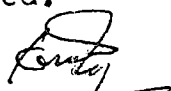
Petitioner states that it is very inconvenient for him to come to the Tribunal everyday to check the cause-list for knowing the date of final hearing of his case and requests that a specific date of hearing may be given. He had also made a request for early hearing earlier which was rejected on 24.8.1987 and the matter was directed to be listed for final hearing in the usual course. In the usual course the matter ~~would~~ ^{would} not come up for final hearing before June 1988.

May be listed in the usual course in the Monthly list and then in the weekly list but not before June 1988.

MP No. 1128/87 in
OA No.544/87

Petition not pressed. Dismissed.


(Kaushal Kumar)
Member
18.9.87

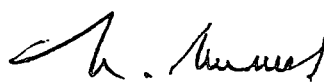

(K. Madhava Reddy)
Chairman
18.9.87


11-1-88

MP No. 1693/87
in OA 544/87

petitioner in person.

Place before Court No. III
at 2-30 pm today i.e 11-1-88.


(Kaushal Kumar)
member


(K. Madhava Reddy)
Chairman

MP 1693/87
OA 544/87

11.1.1988

Present : Applicant in person.

We have heard the applicant in person. He wants us to stay further proceedings on the charge-sheet which has been served on him on the ground that this violates the earlier order issued by the Tribunal on 12.5.1987. We have gone through the documents and there is no such violation. We do not find a prima-facie case to issue an ex-parte order ^{of} ~~to~~ stay at this stage. The applicant undertakes to serve ^{notice} again on Shri J.C. Singhal, learned counsel for respondents by to-morrow. Let the case ^{on interim relief} be listed on 13.1.1988. Issue Dasti.

Ch. Rao
(Ch. Ramakrishna Rao)
Judicial Member

S. P. Mukerji
(S. P. Mukerji)
Administrative Member


Report awaited


MP 1693/87
DA 544/87

13.1.88

Present : Applicant in person. Shri Inderjit Sharma
counsel for respondents.

Heard. Shri Sharma seeks some time to file reply
on the question of interim relief. Let him file the
reply on or before 3.2.1988. Till then, status quo as
of to-day should be maintained and no further proceedings
on the charge sheet served on the applicant.


(Ch. Ramakrishna Rao)
Member (J)


(S. P. Mukerji)
Member (A)

*Servic complete
Reply not filed*

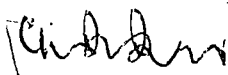
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MP-1693/87
OA-544/87

3.2.1988.

Present: Applicant in person.
None for the respondents despite service.

In view of the fact that the respondents have not chosen to reply to the notice for interim relief and the applicant has come all the way from Bangalore, we direct that the status-quo as regards further proceedings on the charge-sheet may be maintained till the disposal of the main application for which hearing has been fixed in June, 1988.


(Ch. Ramakrishna Rao)
Member (J)


(S.P. Mukerji)
Member (A)

OA.544/87

1.6.88

Present: Applicant in person.

None for the respondents.

As per the last order, the case was to be fixed for final hearing in the month of June, 1988. Since the system of listing has been changed, recently, this matter should be included in the list of ready cases to be taken up for final hearing on its turn but the applicant has insisted that the matter be placed before Hon'ble Court for appropriate directions.

Let the matter be placed before Hon'ble Court No.II for appropriate directions on 3.6.88.



(V.K. SHALI)

Deputy Registrar

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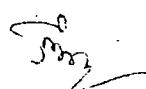
3.6.88

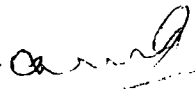
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OA.544/87

Present: Applicant in person.
None for the respondent.

The applicant seeks an early hearing of this case as he has already been superseded. List this case before the Honourable Chairman for his orders on 7th June, 1988.


(S.P. MUKERJI)
Administrative Member


(P.K. KARTHA)
Vice-Chairman


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3.6.88

OA.544/87

Present: Shri Inderjit Sharma counsel for the respondent.

After the above order was recorded, Shri Inderjit Sharma appeared before us and indicated that because of the instructions of the Railway Board, he will not represent the Railways in this case and Shri J.C. Singhal will continue to represent the Railways.


(S.P. MUKERJI)
Administrative Member


(P.K. KARTHA)
Vice Chairman

7.6.88

OA 544/87

Applicant in person.

This is an application of 1987. The applicant is in service. He is aggrieved by certain orders of reversion and non-promotion. We do not see any reason to take this case for out of turn hearing. Request for out of turn hearing rejected.

Post before the Deputy Registrar on 23.8.1988
for inclusion in the ready list of cases.


(KAUSHAL KUMAR)
MEMBER


(K. MADHAVA REDDY)
CHAIRMAN

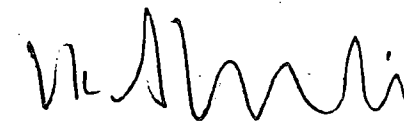
*Readings
complete*

23.8.88

DA 544/87

Present: Applicant in person.
Shri J.C. Singhal for the respondents.

The matter be included in the list of
ready cases for final hearing.



(V.K. SHALI)
Joint Registrar CC

Rejoinder
attached.
and filed on
6.8.87.

PC 23/8790