

(4)

In the Central Administrative Tribunal
Principal Bench: New Delhi

DA No.1023/87

Date of decision: 07.12.1992.

Shri K.K. Khanna

...Petitioner

Versus

Director General of
Works, C.P.W.D.

...Respondents

Coram:-

The Hon'ble Mr. Justice V.S. Malimath, Chairman
The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the petitioner None!

For the respondents Shri A.K. Behra, proxy counsel for
Shri P.H. Ramchandani, Senior Counsel.

Judgement (Oral)


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

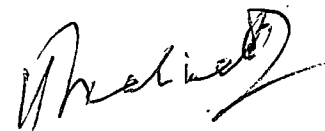
None appeared for the petitioner. As this is a very old matter, we have perused the records and heard the learned counsel for the respondents.

The petitioner came on deputation to the C.P.W.D. on 1.6.1976 where he was post as Financial Officer (OSD) to the Director General, C.P.W.D. in the pay scale of Rs.840-1200. He was given the additional current duties of another post of Financial Officer which carry the pay scale of Rs.1100-1600 w.e.f. 25.3.1980. He continued to perform the current duties of that post till 6.1.1981. The petitioner has claimed in this petition the pay in the scale of Rs.1100-1600 of the post on which he performed current duties from 25.3.1980 to 6.1.1981 in addition to his own regular duties. This claim is on the strength of the F.R. 49. The respondents pleaded that as the petitioner

was only performing current duties of another post carrying the higher scale of pay clause-4 is clearly attracted and that, therefore, the petitioner is not entitled to the relief which he has claimed in this case. That appears to be so.

2. We find that the cause of action having arisen before 1.11.1982 we have no jurisdiction to entertain this petition. Looked at from any angle, it is not possible to grant any relief to the petitioner. This petition, therefore, fails and is dismissed. No costs.


(I.K. RASGOTRA)
MEMBER (A)


(V.S. MALIMATH)
CHAIRMAN

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