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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A. No. 1640/90

New Delhi this 9th September, 1994.

Hon'ble Mr. S.R. Adige, Member(A)

Hon'ble Mrs. Lakshmi Swaminathan, Member(J)

Dr. G.C.Raha,
s/o Late Shri C.C.Raha,
r/o D-31,
Delhi Admn. Flats,
Timarpur,
Delhi 110 007

.....Applicant

By Advocate Shri K.N.R.Pillai

versus

1. State of Madhya Pradesh,
through its Chief Secretary,
Government of Madhya Pradesh,
Secretariat,
Bhopal.

2. The Director of Health Services,
Govt. M.P.
Secretariat,
Bhopal.

3. The Accountant General,
Madhya Pradesh,
Gwalior-474 002.

4. The Department of Prevention
of Food Adulteration,
Delhi Administration,
5th Floor,
ISBT Kashmere Gate,
Delhi.

.....Respondents

(None for the respondents)

JUDGMENT

By Hon'ble Mr. S.R. Adige, Member(A)

In this application, Shri G.C.Raha has prayed for counting of 13 years' adhoc service put in by him as Public Analyst under the Madhya Pradesh State Government for the purpose of pension and other retiral benefits, upon his leaving the services of Madhya Pradesh Government and joining

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the Delhi Administration in the Directorate of Food Adulteration w.e.f. 10.7.84. He has also prayed for release of arrears of salary, GPF etc. as well as transfer of his GPF account from Madhya Pradesh State to Delhi.

2. During hearing, Shri Raha admitted that his GPF account has been transferred to Delhi. In so far as any arrears of salary, GPF account etc. due to him from the Govt. of Madhya Pradesh, are concerned, the functionaries of the State Govts. ^{come} do not/within CAT's jurisdiction. It is, therefore, open to the applicant to pursue his remedy on this count in the proper forum.

3. In so far as the question of counting his 13 years' adhoc service in the Madhya Pradesh State Govt. for the purpose of pension and other retiral benefits, upon his joining Delhi Administration is concerned, we are not aware of the stand of respondent No.4 (Delhi Administration) as no reply has been filed by them and none appeared on behalf of any of the respondents when the case came up for hearing. It appears that their right to file reply was forfeited vide orders dated 2.9.92.

4. On the other hand, the applicant has also not filed any documents to show that he had applied to Respondent No.4 (Delhi Administration) under whom he is now working, for counting of his period of 13 years' adhoc service in M.P. State Govt. for purposes of pension and other retiral benefits.

5. Under the circumstances, this application is disposed of with the direction that if the applicant files a petition to respondent No.4, within one month from the date of receipt of a copy of this judgment for counting his period of adhoc

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service with M.P. State Govt. for purposes of pension and other retiral benefits, Respondent No.4 will consider the same in accordance with the extant rules, instructions and judicial pronouncements and pass a speaking, reasoned order thereon, under intimation to the applicant as expeditiously as possible and preferably within five months of the date of receipt of the applicants' petition. In case the applicant is aggrieved by the final decision of the respondents, then, after exhausting the departmental remedies open to him, it will be open to approach this Tribunal afresh in accordance with law, if so advised. No costs.

Lakshmi Swaminathan
(LAKSHMI SWAMINATHAN)
MEMBER (J)

Adige
(S.R. ADIGE)
MEMBER (A)

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