

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
* * *

MP 930/92 in OA 2384/91

24.07.1992

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SH.B.KRISHAN & ORS.

...APPLICANTS

VS.

UNION OF INDIA & ORS.

...RESPONDENTS

CORAM :

HON'BLE SHRI J.P. SHARMA, MEMBER (J)

FOR THE APPLICANTS

...SH.ROMESH GAUTAM

FOR THE RESPONDENTS

...SH.M.L. VERMA

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?

JUDGEMENT (ORAL)
(DELIVERED BY HON'BLE SHRI J.P.SHARMA, MEMBER (J))

The applicants, Dr.B.Krishan Singh and three other doctors and the legal representative of Dr.B.S. Kaushal, who are holding the degree B.V.Sc.(Veterinary Science) filed this application for a direction to the respondents to suitably amend the OM dt. 31.5.1989 issued in pursuance of the Ministry of Finance OM No.1(30) IC/86 dt. 29.9.1988 about payment of Non Practising Allowance to the Veterinary doctors holding Live Stock Health and Production posts. OM No.44011-45/88-E.V. dt. 31.5.1989 identified 26 posts for NPA payment, but did not include these Live Stock Health and Production posts, namely Joint Commissioners (CBF)/(Sheep)/(LP) and Deputy Commissioners (CD)/(HB)/ICDP. Permission to join together in one application has been

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allowed and the applicants have prayed that they be allowed NPA payment at the rate prescribed by the Ministry of Finance for Veterinary graduates from time to time with effect from certain dates which differ in the case of each applicant and also claimed interest thereon.

The respondents have contested this application and filed a reply. Besides taking the objection to Sections 20 and 21 of the Administrative Tribunals Act, 1985, they have stated in para 4.6 that NPA was not granted to Veterinary degree holders holding post for which B.V.Sc. is an alternate qualification. However, they also stated that the department has been in consultation with the concerned departments of the Government of India to get a clarification on that issue and that the matter is still under consideration of the Government of India.

While the arguments were to commence, the learned counsel for the applicant is satisfied if the respondents are directed to expedite the disposal of their representation and in case they are still not satisfied and are aggrieved, then they be given the liberty to come again for the redress of their grievances. The learned counsel for the respondents has no objection provided a period of three months is allowed.

Having given a careful consideration to this aspect of the matter, though the application has been pending

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before the Tribunal for a considerable time, but since the matter is under active consideration of the Government of India, it is in the interest of justice that a direction may be issued to the respondents as desired by the learned counsel for the applicant.

The application is, therefore, disposed of with the direction to the respondents to give a final decision on the matter under consideration within a period of three months from the date of receipt of a copy of this judgement and if the applicants are still aggrieved by such a decision, then if so advised, they can assail the same before the competent forum subject to the law of limitation. In the circumstances, the parties shall bear their own costs.

J. P. Sharma
24.7.92

(J.P.SHARMA)

MEMBER (J)

24.07.1992