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**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

CP No.324/2004

In

OA No.789/2004

New Delhi this the 10<sup>th</sup> day of November, 2004.

**HON'BLE MR. V.K. MAJOTRA, VICE-CHAIRMAN (A)**  
**HON'BLE MR. SHANKER RAJU, MEMBER (J)**

Janki Devi,  
W/o late Shri Tej Bhan (Ex-Maz.)  
R/o C/o 448/2, Shakti Nagar,  
Gurgaon (Haryana)

-Applicant

(By Advocate Shri U. Srivastava)

-Versus-

1. Shri S.P. Aggarwal,  
Chief Controller of Defence,  
Accounts (Pension), G.I. Circle Sec CPF Ind,  
Allahabad 211001 (UP)

2. Shri M. Malhan,  
Director General of Ord. Services (OS-8C),  
MGO Branch, Army Headquarters DHQ PO,  
New Delhi.

3. Shri A.K. Vyas,  
Commandant,  
Ordnance Depot, Shakur Basti,  
Delhi-110056.

-Respondents

(By Advocate Mrs. Promila Safaya)

**ORDER (ORAL)**

**Mr. V.K. Majotra, Hon'ble Vice-Chairman (A):**

Learned counsel for the respondents has filed a copy of the reply affidavit on behalf of the respondents in the Court. Copy whereof has been supplied to the learned counsel of the applicant. Learned counsel of respondents pointed out that vide order dated 6.4.2004 whereby OA-789/2004 was disposed of, respondents were directed to take a final decision on applicant's claim for pensionary benefits by passing a detailed and speaking order, which the respondents have passed, viz. order dated 9.8.2004, however, rejecting the claim of applicant. In view of the fact that respondents have passed these orders in pursuance of Tribunal's directions, Applicant can avail of the legal recourse available

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to him for challenging the orders which have given rise to a fresh cause of action.

2. CP is disposed of and notices to the respondents are discharged with the above observations.

S. Raju  
(Shanker Raju)  
Member (J)

cc.

V.K. Majotra  
(V.K. Majotra)  
Vice-Chairman(A)

10.11.04