

Central Administrative Tribunal
Principal Bench

O.A. No. 3151/92

(2)

Hon'ble Mr. Justice K.M. Agarwal, Chairman
Hon'ble Shri R.K. Ahooja, Member(A)

New Delhi, this the 25th day of May, 1998

Shri N.L. Sehgal
s/o Shri Charan Das Sehgal
residing at 1/30, Roop Nagar
Delhi - 110 007 and working
as Milk Distribution Officer
Delhi Milk Scheme
West Patel Nagar
New Delhi.

... Applicant

(By Shri Gurmeet Singh, Advocate)

Vs.

1. Union of India through
Secretary
Ministry of Agriculture
Krishi Bhawan
New Delhi.
2. The General Manager
Delhi Milk Scheme
West Patel Nagar
New Delhi.

... Respondents

(By Shri N.S. Mehta, Advocate)

O R D E R (Oral)

Hon'ble Mr. Justice K.M. Agarwal, Chairman

Pursuant to the order dated 25.5.1998 in MA
No.801/98, this OA is restored and heard on merits.

2. It does not appear necessary to deal with the facts in the present OA. The main relief claimed by the applicant in this OA is as follows:

"Direct the respondents to pay full pay and allowances for the period from 11.4.1984 to 15.1.1991, i.e., from the date of unlawful compulsory retirement till the date of re-instatement, together with interest thereon."

3. It is not disputed by the learned counsel for the applicant that full pay and allowances for the period between 11.4.1984 and 15.1.1991 have been paid to the

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applicant. The learned counsel for the applicant however submitted that the period between 7.12.1990 and 16.1.1991 would be treated as period spent on leave. The argument is resisted by the learned counsel for the respondents.

4. After perusing the record, we are of the view that no prayer was made in the OA for directing the respondents to treat the period between 7.12.1990 and 16.1.1991 as period spent on duty. Secondly the direction made in the earlier OA by the Tribunal was clear and unambiguous. There also there was no direction for treating the said period as period spent on duty. Under these circumstances, we find no merit in this OA. Accordingly, it is hereby dismissed without order as to costs.

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(K. M. Agarwal)
Chairman

R. K. Ahooja
(R. K. Ahooja)
Member (A)

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