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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

C.C.P.No.358/93.

IN

O.A.No.809/92

New Delhi this the 3rd March, 1994.

Shri Justice B.C. Saxena, Vice Chairman(J).

Shri S.R. Adige, Member(A).

Shri Rajinder Kumar Dewan,
3/33, Old Rajinder Nagar,
New Delhi.

... Petitioner.

By Advocate Shri M.L. Bhargava.

Versus.

1. Lt. Gen. J.S. Ahluwalia,
Director EME,
M.G.D. Branch, (MASTER GENERAL OF ORDANCE)
Army Headquarter,
New Delhi.
2. Brig. P.K. Prasad,
Commandant,
505, Army Base Workshop,
Delhi Cantt.
3. Lt. Col. K.R. Mohanorao,
Officer In-charge,
Record Officer, EME, (ELECTRICAL MECHANICAL ENGINEERING)
Secunderabad.(AP) ... Respondents.

By Advocate Shri K.C. Mittal.

O R D E R

Shri Justice B.C. Saxena

We have heard the learned counsel for the parties. The order passed on the last date viz., 24.11.1993 shows that the respondents were granted additional two months' time to take further action to comply with the directions in so far as placing the applicant's name in the seniority list is concerned and giving him pay and allowances for the period

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upto 14.11.1973. On behalf of the respondents, an affidavit has been filed today. Annexure-III to this affidavit indicates that a cheque bearing No. 846535 dated 02.3.1994 for an amount of Rs.3079/- was sent to the resident of the applicant. The said annexure shows that the applicant refused to accept the payment and informed the Office Superintendent who had taken the cheque, that since the payment was required to be made before 24.1.1994 as per court orders, he would not accept the cheque and he also says that he would accept the payment in the court only. Shri K.C. Mittal, learned counsel for the applicant had brought the said cheque. The same has been handed over to the learned counsel for the applicant in presence of the applicant. The learned counsel for the applicant submits that he may be granted a week's time to verify ^{whether} the amount of Rs.3079/- is the correct amount which would be admissible to the applicant upto 14.11.1973. The cheque has been accepted subject to the above said objection. We, therefore, provide that if after verification the applicant is able to indicate any incorrectness in the calculation of the amount to the authorities concerned, the authorities concerned will look into the matter and after verifying the position make the payment of any additional amount, if found due. The learned counsel for the respondents has also handed over a copy of the order of Fixation of Pay on which the cheque has been prepared. The learned counsel for the respondents has also placed before us a copy of the order dated 21.2.1994. It shows that the applicant's date of promotion as Senior Draftsman has been fixed as 01.9.1971, as directed by the Tribunal in the O.A. The affidavit filed today also contains an averment that an amended seniority list of Senior Draftsman has been issued placing the name of the applicant at serial No.2-A.

for

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with effect from 1.9.1971.

2. In view of these circumstances, no useful purpose will be served in keeping the CCP alive. All the directions in the O.A. have been complied with by the respondents. CCP is accordingly disposed of. Notice is discharged.

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

B.C. Saxena
(B.C. SAKSENA)
VICE CHAIRMAN(J)

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