

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No. 1372/93

New Delhi, this the 2nd day of July, 1999

Hon'ble Mr. Justice V. Rajagopala Reddy, Vice-Chairman (J)
 Hon'ble Mr. S.P. Biswas, Member (A)

1. Narain Singh
 S/o Shri Mangli
 Resident of Village &
 Post Office Daulatabad,
 Distt: Gurgaon (Haryana)
2. Gurdas
 S/o Shri Lhachedu
 T.No. 1915 under C.O.D. Delhi Cantt
 & Village Sanot, P.O. Narela
 Delhi.

....Applicants

(By Advocate: None)

Versus

1. Union of India through Secy,
 to the Ministry of Defence,
 South Block, New Delhi.
2. Commandant
 Central Ordnance Depot
 Delhi Cantt, Delhi.

....Respondents

(By Advocate: Shri Rajinder Nischal)

ORDER (Oral)By Hon'ble Shri S.P. Biswas, Member (A)

The applicants working as laboures under the respondents-Ministry of Defence have filed this original application by being aggrieved for non-payment of salary and other allowances w.e.f. 21.11.80 to 30.9.91. The amounts of salary and other dues payable to them have not paid since both of them were under suspension w.e.f. 21.11.90, pursuant to the actions taken against them under sub rule-2 of Rule-10 of CCS (CCA) Rules 1965. The criminal proceedings under Section-457/380 of IPC were also pending against them. The applicants participated in the departmental proceedings which was concluded


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long back. It is evident from the records made available to us that both the applicants were subsequently acquitted from the criminal proceedings vide order dated 19.9.91.

2. It is in the background of the aforesaid position that the applicants approached this Tribunal seeking relief interms of issuance of directions to the Tribunal to quash the impugned order dated 28.9.92 and 24.2.93 and declare that those orders are null & void. They also seek relief interms of getting the entire period of suspension from 2.11.80 to 30.9.90 as spent on duty for all practical purposes.

3. Heard the learned counsel for the respondents. From the pleadings it is evident that the applicants have no case at all presently. This is because the respondents appear to have taken necessary action towards redressal of their grievances. This position was submitted by the bar. As has been mentioned in the counter of the respondents, the entire amount for subsistence allowance and salary as due to the applicants have been paid to them for the period they were under suspension. The subsistence allowance which was initially paid @ 50% has since been paid in full for the period of suspension. The arrear amounts on account of the subsistence were paid on 6.12.94 and the bonus amount has also been paid on 15.10.96 as indicated by the learned counsel for the respondents.

4. Nothing survives for adjudication at this stage in the OA. The OA is, therefore, dismissed having become infructuous.


(S.P. BISWAS)
Member (A)


(V. RAJAGOPALA REDDY)
Vice-Chairman (J)