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CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 1428 of 1993

New Delhi, dated this the 23rd April, 1997

HON'BLE MR. S.R. ADIGE, MEMBER (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri Ajit Singh,
S/o Shri Ram Gopal Singh,
Ex-Assistant,
Ministry of Communication,
Govt. of India,
R/o B-1/2, Rana Pratap Bagh,
Delhi-110056.

... APPLICANT

By Advocate: Shri O.P. Gupta

VERSUS

1. Union of India through
the Secretary,
Ministry of Communication,
Sanchar Bhawan,
New Delhi.

... RESPONDENTS

(None appeared)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

Applicant prays for pensionary benefits including DCRG for the service rendered by him from 6.6.1945 to 1.4.1970. His case is that he was appointed as L.D.C. in Ministry of Home Affairs on 6.6.1945 and worked there upto 31.10.46, after which he worked as L.D.C in the Education Ministry from 1.11.1946 to 30.4.1947. He states that he worked from 1.4.1947 till 31.3.1970 as U.D.C. and Assistant in Ministry of Communication. He took leave from 2.4.70 for three months with permission to go abroad to see his relatives but as he did not return he admits that he was removed from service vide order dated 16.7.1974.

A

2. Shri O.P. Gupta appeared for the applicant when this case was called out. None appeared for the Respondents and no reply has been filed on their behalf despite service of notice upon them.

3. As this a very old case we are proceeding to dispose it of after hearing Shri Gupta.

4. Shri Gupta has stated that the applicant returned from abroad towards end of 1992 and thereafter a notice u/s 80 CPC was sent to the Secretary, Ministry of Communication (Annexure B) for grant of pensionary benefits. It appears that similar petition had been sent to the Director General, Intelligence Bureau, Ministry of Home Affairs and the Secretary, Ministry of Home Affairs, Home Dept. in November, 1992 (Annexure A-7). Shri Gupta contends that the denial of pensionary benefits is a continuing cause of action and hence the O.A. is not hit by the Limitation.

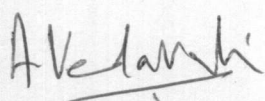
5. As no reply has been filed by the Respondents despite service of notice upon them and none has appeared on their behalf despite service of notice, we are not aware of their stand in the matter.

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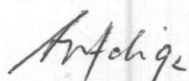
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6. Under the circumstances this O.A. is disposed of with a direction to the Respondents to treat the notice u/s 80 CPC sent by applicant as his representation, and thereafter dispose of the same by detailed, speaking and reasoned order in accordance with law as expeditiously as possible and preferably within four months from the date of receipt of a copy of this order under intimation to the applicant.

7. This O.A. stands disposed of accordingly. No costs.


(Dr. A. VEDAVALLI)

Member (J)


(S.R. ADIGE)

Member (A)

/GK/