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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 2563/93
M.A. No. 133/94

New Delhi this the 24th May 1994

Hon'ble Mr. J.P. Sharma, Member (J)

1. Delhi Prosecutors Welfare Association
having their office at Prosecution Branch,
District Courts, Tis Hazari, Delhi
through its Secretary
Shri B.S. Joon.
2. Shri B.S. Joon,
Son of Shri Partap Singh,
Resident of B-1/1554 Vasant Kunj,
New Delhi
(Secretary of Applicant No. 1) Applicants

(By Advocate Shri Sunil Malhotra)

Vs.

1. Union of India,
through its Secretary
Ministry of Home Affairs,
North Block,
New Delhi.
2. Delhi Administration,
through its Chief Secretary,
5 Sham Nath Marg,
Delhi. ... Respondents

(Ms. Ashoka Jain)

O R D E R

Hon'ble Mr. J.P. Sharma, Member (J)

Applicant No. 1 is an Association of Public Prosecutors/Addl. Public Prosecutors/Assistant Public Prosecutors appears in various courts in the National Capital Territory of Delhi and they have to wear black coat with black neck-tie and grey or white trousers while appearing to the courts subordinate to the High Court. The applicants' Association is already in receipt of uniform allowance of Rs. 500/- after every 7 years for its members and similarly maintenance allowance @ Rs. 100/- per annum for the members. The applicants have represented for enhancement of the allowance and since they do not get any favourable reply, filed

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this application in December 1993 for the grant of the relief that a direction be issued to the respondents to pay the Members of the Association Rs. 6,500/- after every 5 years towards the purchase of cloth and stitching for uniform allowance and Rs. 500/- per month towards the maintenance allowance with effect from February 1992. The respondents contested this application and took the preliminary objection that the case of the applicants' Association is under active consideration by the respondents and the moment the decision is taken, the applicants shall be informed. In the meantime, the Tribunal also directed on 9.12.1993 to dispose of the representation of the applicants considering the Judgement of the Delhi High Court in CWP 840/92 in the case of Delhi Judiciary Service Association and Another Vs. Delhi Administration. The Judiciary Officers in the subordinate courts under Delhi High Courts have been in receipt of the lump sum amount of Rs. 5,500/- for 5 years and Rs.300/- as dress allowance. On merit the respondents contested the claim of the applicants but it is stated that the matter is under consideration and the application is pre-mature.

2. During the course of the hearing, the counsel for the respondents Ms. Ashoka Jain placed before the Bench a copy of the letter dated 19.5.1994 addressed to the Director, Government of India, Ministry of Home Affairs issued by the Government of N.C.T of Delhi, Home Department recommending the case of the applicants and that the matter be considered on top priority and the approval of the competent authority may be conveyed to Government urgently. A copy of this letter has also been given to the applicants' counsel.

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3. In view of the above facts and circumstances, the matter of the applicants is under consideration and the Tribunal cannot interfere at this stage as the matter has been processed administratively to the entire satisfaction of the applicants. The application, therefore, is disposed of as pre-mature with the direction to the respondents to consider expeditiously the case of the applicants in the light of the Judgement of Delhi High Court referred to above passed in the Delhi Judiciary Service Association. If the applicants are still aggrieved, they may seek remedy according to law. M.A. 1300/94 filed by the Respondents has also become infructuous.

J. P. Sharma

(J. P. Sharma)
Member (J)

Mittal