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O.A.No.1038/97

18.1.2001

Hon.Mr.S.K.I. Naqvi, JLM.

Shri U.S. Bhakuni for the applicant.
Shri Rajesh Mishra proxy counsel to Shri S.C.
Tripathi, counsel for the respondents.

Heard the arguments.

Order dictated separately

✓
J.M.

/m.m./

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

(9)

Original Application No. 1038 of 1997

Allahabad this the 18th day of January, 2001

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Shri Gyan Chandra, aged about 59 years, Son of
Shri R.S. Gupta, r/o 4/8, Karelabagh Colony,
Allahabad.

Applicant

By Advocate Shri U.S. Bhakuni

Versus

1. Union of India through Secretary, Ministry
of Defence, New Delhi.
2. Director General, Ordnance Services, Army
Headquarters, DHQ, PO, New Delhi-11.
3. Commandant, C.O.D. Kandivli (East), Mumbai-
400101.
4. Commandant, COD Chheoki, Allahabad.
5. CDA, Southern Command, Pune.
6. CDA (Pensions), Allahabad.

Respondents

By Advocate Shri S.C. Tripathi

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicant has come up seeking
the relief regarding grant of T.A./D.A. claim,
payment of dues of the applicant in T.A./D.A
claim and also interest thereon to ~~pay~~ at market

rate. These reliefs are in Clause 8 (Relief ^{claimed in} ~~sought~~) as sub clause i, ii and iii.

2. The first relief sought by the applicant ^{of} against annexure-1 which has been passed at Central Ordnance Depot, Kandivali (East) Mumbai on 29.5.1997, which is in respect of allowance for the period of promotion, leave encashment for 240 days, C.G.E.I.S., Difference of pension, gratuity and commutation ^{as well as} T.A./ D.A. claim for Allahabad to Mumbai and from Mumbai to Allahabad ^{for which} and the applicant has been called upon to produce the original tickets. It is not in dispute that this payment was to be processed and paid at Mumbai which accrued to the applicant during his posting there.

3. The second relief is for direction to make early payment of all the dues

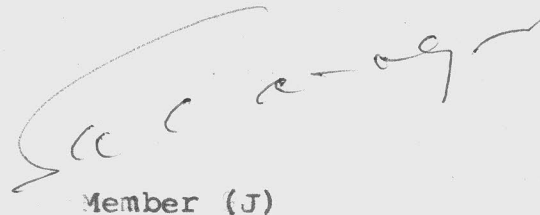
4. I ^{find} ~~am~~ afraid that neither of the relief can be provided by this Tribunal because order impugned in clause 8(i) relates to the Mumbai and that comes within the jurisdiction of the Tribunal there and the relief (ii) to 'make early payment of all the dues' is very vague without specific mention of the claim and dues. There is also no reference in the pleadings that the relief 8(i) and relief 8(ii) are connected, related or inter-dependent and thereby O.A. suffers from multiplicity of reliefs ^{also}.

See

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5. For the above, the O.A. is dismissed on the ground of maintainability. However, the applicant is at liberty to make fresh move within 2 months from the date of this order keeping in view the observations made above. No order as to costs.


Member (J)

/M.M./