

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 22nd DAY OF NOVEMBER, 2001

Original Application No. 796 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Jitendar Nath Sonkar,
S/o Shri Kailash nath Sonkar
R/o 19 R.A Bazar, new Cantt
Allahabad.

.... Applicant

(By Adv: Shri H.N.Sharma)

Versus

1. Union of India through
The Secretary, Ministry of
Defence, new Delhi.
2. Commander Works Engineer,
Allahabad.
3. Garrison Engineer(West)
Allahabad.

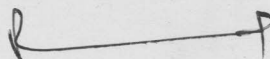
.... Respondents

(By Adv: Shri Satish Chaturvedi)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

This OA has been filed for a direction to the respondents to pay the arrears of salary due to the applicant for the periods February 1998 to July 1998 and from August 1998 to October 1999. The applicant was serving as Chowkidar under Garrison Engineer(West) Allahabad. He was put under suspension by order dated 29.1.1998. The order was however revoked by order dated 26.10.1999. The learned counsel has submitted that no memo of charge has been served on him till date and no disciplinary proceedings have been initiated. However, the respondents are not paying the balance due to the applicant after adjusting the suspension allowance though representation was made by him



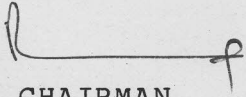
to respondent no.3 in April 2001.

Considering the facts and circumstances in our opinion ends of justice will be served if the respondent no.3 is directed to decide the representation of the applicant by a reasoned order within the specified time.

The OA is accordingly disposed of finally with the direction to the respondent no.3 to decide the representation of the applicant by a reasoned order within two months from the date a copy of this order is filed. The respondent no.3 shall keep in mind the legal position that salary cannot be with-held if there was no order of suspension^{or} termination against the applicant. To avoid delay, applicant is given liberty to file a fresh copy of the representation alongwith the copy of this order. No order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: 22.11.2001

Uv/