

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH  
ALLAHABAD**

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(THIS THE 3<sup>rd</sup> DAY OF November 2009)

***Hon'ble Mr. A.K. Gaur, Member (J)  
Hon'ble Mr. D.C. Lakha Member (A)***

**Original Application No.1224 of 2004  
(U/S 19, Administrative Tribunal Act, 1985)**

Prabhu Dayal Arya, aged about 39 years, Son of late Bhagwan Das Arya, Resident of H.N.O.P.-48, Raksha Vihar Colony, Shyam Nagar, Kanpur Nagar.

..... *Applicant*

***Versus***

1. Union of India, through the Secretary, Ministry of Defence Production, Govt. of India.
2. The Director General Quality Assurance, Department of Defence Production/DGQA, Ministry of Defence. DHQ PO NEW DELHI-11.
3. The Controller, Controllerate of Quality Assurance (GS), Post Box No.224, KANPUR-208004.
4. Shri Arun Kumar, Draughtsman, through the Controller, Controllerate of Quality Assurance (TKC) KANPUR-208004.

..... *Respondents*

Present for Applicant : Shri R.K. Shukla

Present for Respondents : Shri Firoz Ahmad

**OR D E R**

**(Delivered by Hon'ble Mr. A.K. Gaur, J.M.)**

We have heard Sri R.K. Shukla, learned counsel for the applicant and Sri Firoz Ahmad, learned counsel for the respondents.

2. It has been contended by the learned counsel for the applicant that the grievance of the applicant in regard to the seniority and promotion has

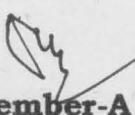
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already been redressed by the respondents, but pay and its arrears has not been given to him. Learned counsel for the applicant would contend that since the respondents have admitted their mistake and corrected the seniority and granted promotion to the applicant, they are duty bound to pay the arrears of pay of the applicant. In support of his contention, learned counsel for the applicant placed reliance on the Full Bench decision of CAT, Jabalpur Bench in O.A. No.543 of 1995 (Devi Lal Vs. Union of India & Ors)

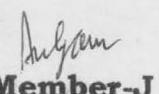
3. Having heard parties counsel, we hereby direct the applicant to file a detailed comprehensive representation annexing therewith the copy of the judgment rendered in Devi Lal's case (supra), within a period of two weeks, from the date of receipt of copy of this order. If such a representation is made by the applicant within stipulated period of time, the Competent Authority shall consider and decide the same according to Rule by a reasoned and speaking order within a period of three months from the date of receipt of copy of the representation.

4. With the above direction the OA is disposed of with no order as to costs.

Be it noted that we have not passed any order on merits of the case.



Member-A



Member-J

//Sushil//