

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 2nd day of April, 2004.

QUORUM : HON. MR. JUSTICE S.R. SINGH, V.C.

HON. MR. D. R. TIWARI, A.M.

O.A. No. 164 of 2004

1. Dinesh Prasad S/O Mahesh Prasad, aged 46 years.
2. Mohd. Iliyas S/O Bismilla, aged 48 years.
3. M.L. Maurya S/O Late B.N. Maurya, aged 53 years.
4. D.K. Srivastava S/O Vindhya Vasini, aged 48 years.
5. R.K. Srivastava S/O T.I. Srivastava, aged 53 years.
6. Parvez S/O Abdul Samad, aged 47 years.
7. M.S.A. Khan S/O Mohd. Akhtar Khan, aged 52 years.
8. C.L. Shukla S/O Late R.K. Shukla, aged 52 years.
9. Hira Lal Maurya S/O Late Kanaiya Lal, aged 52 years.
10. Chandra Deo S/O Deoki, aged 54 years.

All are working as Store Keepers in the office of Development Commissioner (Handicraft) under immediate control of Assistant Director (A&C), Service Centre, D-64/151, A-M-1, Nagar Nigam Colony, Sigra, Varanasi.....
.....Applicants.

Counsel for applicants : Sri O.P. Gupta.

Versus

1. Union of India through Secretary, Ministry of Textile, Government of India, New Delhi.
2. Assistant Director (A&C), Office of Development Commissioner (Handicraft), Service Centre, D-64/151, A-M-1, Nagar Nigam Colony, Sigra, Varanasi.
3. Regional Director, Central Region, Office of Development Commissioner (Handicraft), Kendriya Bhawan, 7th Floor, Sector-H, Aliganj, Lucknow.
4. Development Commissioner (Handicraft), Office of Development Commissioner (Handicraft), West Block-7, R.K. Puram, New Delhi.....
.....Respondents.

Counsel for respondents : Sri A.N. Shukla.

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ORDER (ORAL)

BY HON. MR. JUSTICE S.R. SINGH, V.C.

Heard Sri O.P. Gupta, learned counsel for applicant. Sri A.N. Shukla, learned counsel for respondents and also perused the pleadings.

The applicant, it is alleged, belongs to the organised Accounts cadre and on that premise they have instituted this O.A. under section 19 of the A.T. Act, 1985 for issuance of a direction to the respondents to grant them the benefit of upgradation as visualised under the office memorandum dated 28.2.2003 (Annexure A-3) w.e.f. 1.1.1996. It is further alleged that applicants preferred individual representations seeking benefit of the said ^{the representation filed by} office memorandum. Copy of one of the applicant-Dinesh Prasad has been enclosed as Annexure A-4. The applicants have further placed reliance on letter dated 8.9.2003 annexed as Annexure A-6 written by the Assistant Director (A&C), office of Development Commissioner (Handicrafts), Service Centre, Varanasi to Regional Director, Central Region Office of Development Commissioner, Lucknow arrayed herein as party Respondent No.3 whereby the former has recommended grant of benefit of the office memorandum referred to above. It is alleged that till date no decision on the subject has been taken by the competent authority namely Respondent No.4.

3. Having heard counsel for the parties, we are of the opinion that it would ^{meet} the ends of justice if the O.A. is disposed of at the admission stage itself with a direction to 3rd respondent to forward the representations along with communication dated 8.9.2003 to the 4th respondent namely, Development Commissioner, New Delhi to take appropriate decision in the matter in accordance with law ^{for upgradation} with respect to the applicants claim based on the office memorandum dated 28.2.2003 (Annexure A-3) and communicate

(P.S.)

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the decision to the applicants within a period of four months from the date of production of a copy of this order before the 3rd respondent who shall forward the representations to the 4th respondent within a month. It goes without saying that in case the representations find favour with the competent authority, the applicants would get relief claimed in their representations.

The O.A. is disposed of accordingly in terms of the above direction.

No order as to costs.

N.

A.M.

R.S.

V.C.

Asthana/