

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD.

Original Application No.441 of 2004.

Allahabad this the 29th day of April 2004.

Hon'ble Mr. A.K. Bhatnagar, Member-J.

S.K. Agarwal
s/o A.S. Gupta
aged about 49 years,
working as Traction Loco Controller,
R/o RB IV-258/B, North Railway Colony,
Agra Cantt, Agra.

.....Applicant.

(By Advocate : Sri B.L. Kulendra)

Versus.

1. U.O.I. through
G.M., North Central Railway,
Allahabad.
2. D.R.M. (P),
North Central Railway,
Jhansi.
3. D.R.M. (P)
North Central Railway,
Agra Cantt, Agra.

.....Respondents.

O R D E R

This O.A. has been instituted under section 19 of
Administrative Tribunals Act 1985 seeking following
relief(s):-

- "1. That this Tribunal may graciously be pleased
to issue order or direction for payment of balance of
the officiating allowance.
 2. Issue order or direction to the respondents
for granting one increment and fixation of pay.
 3. Issue order or direction to respondents to
regularise the period from 6.9.1985 on the post of T.L.O.
2. The brief facts as per the applicant are that the
O.A. No.281/2000 was decided on 27.11.2001 by which the
following order was passed:-

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"In view of the facts and circumstances stated above, the respondents are directed to pay the officiating allowance to the applicant for the impugned period with consequential benefits, if any, within a period of 2 months from the date of receipt of this order. No order as to costs".

3. In pursuance to the order of this Tribunal dated 27.11.2001, a letter dated 11.04.2002 was issued by the respondents addressed to the applicant to the effect that payment of arrears of the officiating allowance of the applicant shall be arranged soon. The grievance of the applicant is that the respondents ^{have} made partial payment of officiating allowance arrears of the applicant and remaining amount has not been paid to him.

4. Learned counsel for the applicant submitted that he has sent a due and drawn statement of officiating allowance alongwith application on 03.06.2002 to respondent No.2 i.e. D.R.M. (P), North Central Railway, Jhansi which is annexed as Annexure No.3 followed by letter to the General Manager (Grievance Cell), Central Railway, Mumbai (Annexure A-4), copy of which has been sent to D.R.M. (P). Learned counsel for the applicant submitted that applicant will be satisfied if the representation sent by the applicant is decided by the respondents as per Rules within a specified period.

5. Learned counsel for the respondents prays for time for filing the counter affidavit which in my opinion is not necessary at this stage, as the grievance of the applicant can be resolved by issuing an appropriate direction to respondent No.2 i.e. D.R.M. (P), North Central Railway, Jhansi to decide the representation of the applicant within a specified time.

6. Accordingly, the O.A. is disposed of finally by giving liberty to the applicant to file a fresh representation within a period of 02 weeks and respondent No.2/Competent Authority is directed to consider and

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decide the representation of the applicant if so filed within a period of three months from the date of receipt of copy of this order alongwith representation so filed by the applicant.

No costs.


Member-J.

Manish/-