

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No. 682 of 2004

Wednesday, this the 21st day of July, 2004.

Hon'ble Mr. A.K. Bhatnagar, J.M.
Hon'ble Mr. D.R. Tiwari, A.M.

1.	Smt. Sena Devi aged about 60 years, W/o Late Mishri Lal.	
2.	Raj Kumar aged about 40 years	Sons of Late Mishri Lal.
3.	Kamal Kumar aged about 36 years	
4.	Anand Kumar aged about 34 years	
5.	Sushil Kumar aged about 28 years.	Daughters of Late Mishri Lal
6.	Smt. Vinita aged about 32 years.	
7.	Smt. Manglesh aged about 27 years.	
8.	Km. Mithlesh aged about 25 years.	

All resident of 171 Krishna Nagar
Kydganj, Allahabad.

.....Applicants.

(By Advocate : Shri Swayamber Lal)

Versus

1.	Union of India through the Secretary, Government of India, Ministry of Defence, New Delhi.
2.	The Director General Ordnance Services, Master General of Ordnance Branch, Army Head Quarters, D.H.Q. P.O. New Delhi.
3.	Officer Incharge, Records, Army Ordnance Corps, Records office Trimulgherry, P.O. Secunderabad (A.P.).
4.	Commandant, Ordnance Depot, Fort, Allahabad.
5.	Principal Controller of Defence Accounts, (P.C.D.A.) Central Command, Lucknow.

..... Respondents.

(By Advocate : Shri Saumitra Singh)

....2.

AN

O R D E R

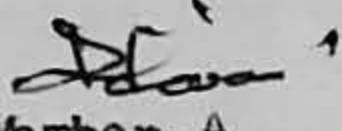
By Hon'ble Mr. A.K. Bhatnagar, J.M. :

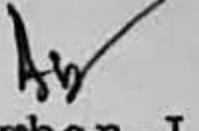
By this OA filed under Section 19 of A.T. Act, 1985, the applicants have prayed for a direction to respondents to finalize pay fixation case of ex-foreman Late Mishri Lal in the scale of Rs.5500-175-9000 from 1.1.1996 and pay the arrears of pay and allowances on account of revision of pay fixation from 1.1.1996 to 20.11.2002 to the applicants and thereafter death benefits be paid to the applicants on revised pay of Late Mishra Lal alongwith 18% p.a. interest from the date of due amount to the date of actual payment.

2. The facts of the case, in brief, are that the applicants are the legal heirs of Late Mishri Lal, who died on 20.11.2002 while serving as Foreman in Ordnance Depot, Allahabad. Learned counsel for the applicant submitted that pay fixation case of Late Mishri Lal in the scale of Rs.5500-9000 was submitted to P.C.D.A. Central Command Lucknow by respondent No.4 for approval on 31.7.2003, which is evident from the letter dated 22.8.2003 filed as Annexure-A-9. It is also submitted by the learned counsel for the applicant that applicant No.1 sent an application to the Commandant, Ordnance Depot Allahabad on 15.11.2003 filed as Annexure-A-11, requesting the authorities for payment of arrears of pay and allowances from 1.1.1996 to 20.11.2002 and other death benefits but instead of taking any decision on this application the respondents have not [✓] ~~care~~ to decide the same so far. Learned counsel for the applicant further submitted that the applicants will ^{✓ be} ~~be~~ satisfied if her application dated 15.11.2003 filed as Annexure-A-11 is decided by respondent No.4 as per law within a specified period.

3. After hearing the counsel we are of the view that this OA can be disposed of finally without calling for counter at the admission stage itself.

4. Accordingly, the OA is finally disposed of with a direction to respondent No.4 i.e. Commandant, Ordnance Depot, Fort, Allahabad to decide the application submitted by the applicant on 15.11.2003 (Annexure-A-11) as per law by a reasoned and speaking order within a period of three months from the date of receipt of copy of this order. No costs.


Member-A


Member-J

RKM/