

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

...

original Application No. 819 of 2004

this the 5th day of August 2004.

HON'BLE MR. JUSTICE S.R. SINGH, V.C.

HON'BLE MR. D.R. TIWARI, MEMBER(A)

P.D. Pandey, S/o late Sri Rajendra Prasad Pandey, R/o Village Naur Deur, post Dawapar, District Gorakhpur, presently working as U.D.C. in pay-scale of Rs.4000-6000 granted ACP Pay scale of Rs.5000-8000 at Air Force Station, Gorakhpur in 17 Wing A.F.

Applicant.

By Advocate : Sri B. Tiwari.

Versus.

1. Union of India through the Secretary, Ministry of Defence, Govt. of India, New Delhi.
2. Principal Director personnel, Civilian, Air Headquarters Vayu Bhawan, New Delhi.
3. Air Officer Commanding-in-Chief, Headquarter, Central Air Command, I.A.F., Bamrauli, Allahabad.
4. Air Office Commanding, Air Force Station, Gorakhpur.

Respondents.

By Advocate : Sri Saumitra Singh.

O R D E R

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

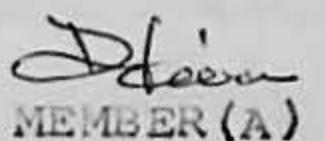
The applicant, herein, is challenging the validity  
24.3.2003  
of the letter dated / issued by Air Headquarters, Vayu Bhawan,  
New Delhi; <sup>452</sup> order dated 11.7.2003 issued by CGO (Admn), Head-  
quarters, Central Air Command, IAF Bamrauli, Allahabad; and also  
the order dated 15.7.2004 issued by Flight Lieutenant OIC,

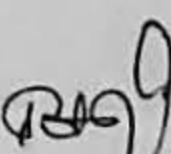
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Civil Admn., Air Force, Station, Gorakhpur on the ground that the transfer and declaration of surplus ~~ex~~ employees has been ordered in contravention of the instructions laid down by the Ministry of Defence, Air Headquarters' letter dated 25.4.1956 and also ~~✓~~ the letter dated 5.8.1999. issued by Ministry of Defence.

Reliance has also been placed on Government of India, Department of personnel & Training letter dated 28.8.1978. The learned counsel for the applicant submits that the staff should be declared in the ~~divised~~ <sup>surplus & reversed</sup> ~~✓~~ order of seniority. It is submitted by the applicant's counsel that the applicant has preferred representations for redressal of his grievance raised in the present O.A., which has not yet been disposed of. We are, therefore, of the view that ends of justice would be best attained if the competent authority ~~shall~~ <sup>✓</sup> ~~✓~~ decides the representation of the applicant after taking into account the relevant orders including those referred to above.

2. Accordingly, the O.A. stands disposed of at admission stage itself with a direction to Air Officer Commanding-in-Chief, Headquarter, Central Air Command, I.A.F., Bamrauli, Allahabad (respondent no.3) to consider and dispose of the representations (Annexure A-14 & A-15) after taking into account the relevant orders including those referred to above, within a period of one month from the date of communication of this order. Parties are directed to bear their own costs.

  
MEMBER (A)

  
VICE CHAIRMAN

GIRISH/-