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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHBAD BENCH
ALLAHABAD

Dated: this the 20th day of OCTOBER 2008

Original Application No.412 of 2005

Hon'ble Mr. A.K. Gaur, Member (J)

Munna S/o late Mohd Zahoor, R/o 129/11/1A Chakiya Nai
Abadi, Allahabad.

..Applicant

By Adv : Shri S. Lal

Versus

1. Union of India, through Defence Secretary, Ministry Defence, New Delhi.
2. Director General, E.M.E. (EME-CIV), Army Headquarters, DHQ PO, New Delhi.
3. Commander, Headquarters Base Workshop Group EME Meerut Cantt.
4. Principal C.D.A. (Pension), Draupadighat, Allahabad.
5. Commandant EMD 508 Army Base Workshop, Allahabad Fort.

..Respondents.

By Adv : Sri S. Srivastava

O R D E R

Heard Shri S. Lal, learned counsel for the applicant and Shri P. Srivastava brief holder of Sri S. Srivastava, learned counsel for the respondents.

2. Both the parties counsel submitted that this OA is covered with the judgment rendered in OA No. 630/05 Bhoodeo Prakash Rochan Vs. Union of India and others. I, accordingly allow this OA and pass similar direction

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as has been passed in paragraph No. 9 of the Bhoodeo Prakash Rochan's judgment (supra). The judgment rendered in Bhoodeo Prakash's case shall mutatis mutandi apply in this case also. The respondents are also directed to refund the amount to the applicant if any already recovered in pursuance of the impugned order within a period of three months from the date of receipt of a copy of this order.

3. In view of the aforesaid observation this OA is disposed of.

A.K. Gaur
(A.K. Gaur)
Member J

/pc/