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CENTRAL ADMINISTRATIVE TRIBUNAL, ALIAHABAD BENCH.

Registration T.A. No. 393 of 1986  
(OS. No. 167 of 1985 )

Roop Lal      ...      ...      ...      Applicant.

Versus

Union of India  
and others      ...      ...      ...      Respondents.

Hon. Mr. Justice U.C. Srivasta-va, V.C.  
Hon'ble Mr. K. Obayya, Member (A)

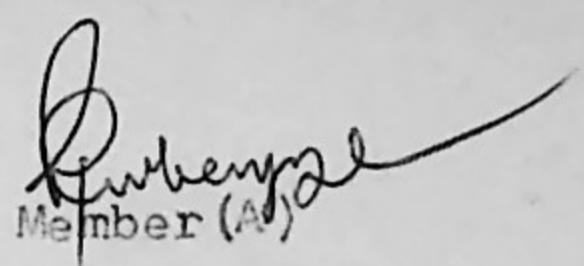
( By Hon. Mr. Justice U.C. Srivastava, V.C. )

This is a transferred case under Sec. 29 of the Administrative Tribunal's Act, 1985. The applicant filed a Civil Suit in the court of Munsif Coal, Aligarh with the allegation that he was working as Carpenter at the Aligarh Railway Station, and his salary in the year 1981 was 619.78 and in the year 1982 was 711.27 paise and in the year 1983, was 741.44 paise. It is because of the malafide action of the respondents, the applicant was transferred from Aligarh to Khurza and his wages between the period 24.12.1980 to 26.12.1980 i.e. 61.77 paise was deducted without any justification. The applicant was entitled to get Rs. 1565 as salary for the period 22.7.1981 to 5.10.1981 out of which a sum of Rs. 782.50 paise was paid to him and the rest was not paid so far. While, he was suspended from service without any reason but, he was reinstated ~~and~~ but the salary for this period was not paid to him. The ~~annual~~ increment which he was entitled to was also not released, with the result, he has been made to suffer irreparable loss. The applicant claimed a sum Rs. 3990 but the respondents have stated that his claim for beyond the period of 3 years is barred by time. The Railway Administration, took time to file written statement in the court of Munsif but they

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never filed the same, as such, the case has got to be decided on the basis of allegation made in the suit. The applicant's allegations apparently appears to be correct and accordingly, the respondents are directed to pay the amount claimed by the applicant in case the deduction has been made without any basis and for deciding this, the respondents shall give a notice and opportunity to the applicant and after taking into consideration his version, they will decide the matter. Let a decision in this behalf be taken within a period of 3 months from the date of communication of this judgment. The application is disposed of with the above terms. No order as to costs.



Member (A)



Vice-Chairman

Dated: 12.8.1992

(n.u.)