

THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD

O.A. No. 1353/88

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Shitla Prasad

...

Applicant

Vs.

Union of India & others

...

Respondents

Hon. Mr. A.K. Sinha, J.M.

1. This case was filed on 30.11.1988 with defects. The defects were removed on 19.12.88 and it was listed for admission on 12.01.89 on that date on the request of the Learned Counsel for the applicant it was adjourned to 2.2.89 on which date notices were issued to the respondents to show-cause as to why the petition should not be admitted and since thereafter it appears that several adjournments were allowed, but nobody appeared for the applicant. The case has yet not been admitted. On the last date, i.e. 10.3.93, the case was adjourned to 31.3.93, (i.e. today), but nobody appeared in this case.

2. The respondents have appeared and filed their Counter repudiating the calim of the applicant who has prayed that the applicant be treated having been placed in the scale of Rs. 260-400 with all consequential benefits with effect from 10.9.91.

3. The claim of the applicant is based on the fact that he was appointed as a Gang Man on 1.2.1961 and subsequently promoted and continuously working from 19.2.1972 on the post of Material Clerk

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and, therefore, he is entitled to be fixed in the pay scale of Rs. 260-400. But despite his requests and repeated representations, the respondents have not done so.

4. The respondents have appeared and filed their Counter stating inter-alia that the allegations of the applicant was not correct. It was stated that the applicant had never worked as a Material Clerk but he joined in the capacity of the Material Checker in the grade of Rs. 105-135.

5. No Rejoinder Affidavit has been filed in this case. On a consideration of the pleadings of the parties, I am quite satisfied that the applicant has not made out any case for grant of any relief, ^{for} ~~he was not appointed as material clerk.~~ Considering, therefore, ^{for} the reasons stated above, the application is dismissed. In the circumstances, there will be no order as to the costs.

Ashwini Kumar Sinha,
Member (J)

Allahabad
dt. 31.3.93
/smc/