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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

...

Registration O.A. No. 58 of 1989

Fuhran Singh Yadav Applicant.

Versus

Union of India and others Respondents.

Hon'ble Mr. D.K. Agrawal, J.M.
Hon'ble Mr. A.B. Gorthi, A.M.

(By Hon'ble Mr. D.K. Agrawal, J.M.)

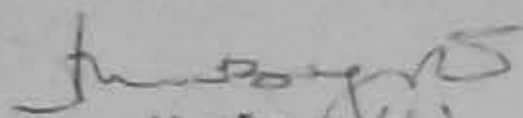
Heard Sri Prabhu Kant, counsel for the applicant.
M.P. No.1298 is an application for amendment of the pleadings in O.A. No. 58 of 1989. It is not in dispute that the relief claimed in O.A. No. 58 of 1989 has already been granted in as much as the applicant has already been relieved. Now by means of amendment application, the grievance raised by the applicant is that he has been denied his pay and other allowances for the period he was not relieved. Firstly, it is ^adistinct subject matter. Secondly, we can adjudicate the same only after the request has been refused by the department. The applicant alleges that he had submitted a representation dated 14.8.1989 to the department, a copy of which has been annexed as part of the amendment application. We, however, have not been shown proof of the fact that the said representation was handed over to the concerned authority or his office. Therefore, we are of the opinion that we may direct the competent authority to dispose of the representation dated 14.8.1989, if received in its office or as the applicant will have to submit a fresh representation to the competent authority for consideration by the competent authority. It is only, thereafter, that the applicant may approach ~~to~~ the Tribunal, if still aggrieved or so advised.

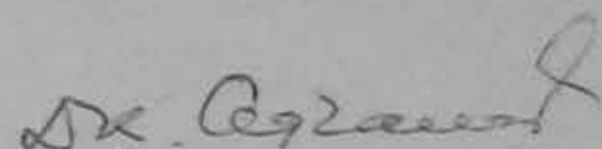
DK Agrawal

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2. O.A. No. 58 of 1989 is dismissed as infructuous.
M.P. No. 1298 of 1991 is also disposed of in the light
of the orders passed above. Parties are left to bear
their own costs.


Member (A)


Member (J) 14.8.91

Dated: 14.8.1991

(n.u.)