

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
(LUCKNO BENCH)  
LUCKNOW.

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D.A. NO 525-1990 (k)

T.A NO

Date of Decision 25.11.92

Bhajan Singh Petitioner.

Advocate for the  
Petitioner(s)

VERSUS

Union of India & Others Respondent.


Advocate for the  
Respondents

C O R A M

The Hon'ble Mr. Justice U.C. Srivastava,

The Hon'ble Mr.

1. Whether reporter of local papers may be allowed to see the Judgment ?
2. To be referred to the reporter or not ?
3. Whether to be circulated to other benches ?
4. Whether ~~the~~ their Lord ships wish to see the fair copy of the Judgment ?

  
VICE-CHAIRMAN/MEMBER

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CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH ALLAHABAD

Original Application No. 525 of 1990

Bhajan Singh . . . . . Applicant

Versus

Union of India & Others . . . . . Respondents

Hon'ble Mr. Justice U.C. Srivastava, V.C.

The original applicant died during the pendency of this case. Thereafter a substitution application has been filed and the same has been allowed by the tribunal, but his heir and legal representative have not cared to carry out the substitution order and has preferred to remain absent. ~~even though, the substitution application has been allowed.~~

2. The applicant has prayed the ~~relief~~ that the respondents may be ordered to pay a sum of Rs. 16195.98 with interest of 18% from May 1984 till the date of actual payment. The amount which he claimed on the said particular amount on the ground that during the suspension of the applicant between 16.8.82 to 10.11.1982. He was not paid a single paisa for the first month, in second month he was paid Rs. 400/- and in third month he was paid only Rs. 78/- <sup>as such</sup> ~~so, the~~ total amount of Rs. 478/- was paid to the applicant during suspension period. His salary at the time of suspension was 278 + 372.70 ~~at the time coming to that is~~ 604.70, ~~and~~ The total salary of three months comes to 1814.10 and a net amount of Rs. 1814.10 - 478 = 1336.10, ~~which~~ still remains unpaid. He has also claimed an allowance of Rs. 70/- ~~per month as rent~~ <sup>for</sup> ~~to get an~~ accommodation and thus between March, 1980 till April 1984, he claimed a sum of Rs. 3430/- <sup>which</sup>


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according to him remains unpaid. He has further claimed a sum of Rs. 20/- per month for 24 months i.e. Rs. 480 from the Railway Department and certain others amount including over time bill for the period 7.8.1982 to 17.8.1982. Out of the suspension allowance all the other claims are old and stale and have rather become barred by time moreover are in respect of a period when Administrative Tribunal did not come into existence. So far as the suspension allowance is concerned, the cause of action in respect of same is continuing and was *kept* alive. It was the duty of the respondents pay it and there is no justification for withholding it. Accordingly, if the same has not been paid, the respondents are directed to pay the balance of suspension amount to the heir and legal representatives of the deceased applicant, within a period of 3 months from the date of communication of this order. With these observations, the application is disposed of finally. No order as to the costs.

  
Vice-Chairman

Allahabad Dated: 25.11.1992.

(RKA)