

BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

DATED : ALLD. ON THIS 15<sup>th</sup> DAY OF JULY , 1998

CORAM : HON'BLE MR. S. L. JAIN , MEMBER ( J )

ORIGINAL APPLICATION NO. 1514 OF 1992

Tilak Ram Mata S/o Sri Sunder Das Mata R/o  
Nawab Ka Thera, Bhoorh, Bareilly.

.... Applicant

C / A : Shri V K Srivastava, Advocate

**Versus**

1. Union of India through its General Manager,  
N E Railway, Gorakhpur.

2. Dy. Chief Accounts Officer (Pension),  
N E Railway, Gorakhpur.

3. F.A. & C.A.O.(G), N E Railway, Gorakhpur.

.... Respondents

C / R : Shri Govind Sharan, Advocate

O R D E R

(By Hon'ble Mr. S.L. Jain, Member (J))

This is an application under section 19 of the Administrative Tribunals Act, 1985 to quash the order dated 9.9.88 annexure XI as communicated through the letter dated 16.7.91 - annexure X passed by the respondents, mandamus to count the services rendered in Food & Civil Supply Department, pay the pension after revising the same, to pay <sup>which</sup> the settlement allowances and the cost of brief case, has been illegally recovered from the house rent allowance wrongly calculated and compensatory allowance.

*S. L. Jain*

2. On perusal of the reliefs, I find that the applicant has claimed more than one relief. The first relief claimed is that his services in Food & Civil Supply Department be counted for the purpose of pension, in consequence revised pension be fixed and paid after quashing the order dated 9.9.88 annexure XI as communicated through the letter dated 16.7.91.

2A. The second relief which he has claimed is that to pay the settlement allowance, cost of brief case which has been illegally recovered from the house rent allowance wrongly calculated.

3. The Central Administrative Tribunal (Procedure) Rule 1987 - Rule 10 is as under:-

" Plural remedies - An application shall be based upon a single cause of action and may back one or more reliefs provided that they are consequential to one another."

4. If examined, the reliefs claimed, the relief claimed in para 2 of this order - to quash the order Annexure XI as communicated vide annexure X, count the services rendered in Food & Civil Supply Deptt. is the relief based on one cause of action and consequential relief is to revise pension and pay the same.

5. The relief claimed in para 2A of the application for payment of settlement allowance and costs of brief case has been wrongly deducted from the house rent allowance. The other reliefs based on different cause of action. They cannot be said to be backed or consequential by the relief claimed in para 2 of this order.

Ans -

6. Thus the application is in contravention of Rule 10 of the Central Administrative Tribunal (Procedure ) Rule 1987. I,therefore, in the interest of justice, afford an opportunity to the applicant to elect only one relief based on one cause of action, may be backed by one or more reliefs provided that they are consequential to one another and delete the another one by the next date by way of a suitable amendment so that the O.A. can be decided on merits. Failure to do so, by the next date, would entitle the dismissal of the O.A.

S.L.Jain  
MEMBER (J)

/rsd/

Registrar  
19-8-98

Hon. Court's order Dt. 15.7.98  
has not been complied with.  
List on 3-9-98 before the  
Concerned bench.

~~Registrar~~

Registrar  
3-9-98  
Concerned bench not available.  
Court's order Dt. still not  
complied. List before  
S.B. of Hon. Sri S.L.Jain  
(Jm) on 9-10-98.

~~Registrar~~