

Open Court.

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated: Allahabad, This The 30th Day of August, 2000.

Coram: Hon'ble Mr. S. Dayal, A.M.
Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No. 1475 of 1993.

Prem Kumar Talwar,
son of Late Sri Roshan Lal Talwar,
16- Albert Road (S.P. Marg)
Allahabad.

. . . Applicant.

Counsel for the Applicant: Sri A.V. Srivastava, Adv.

Versus

1. Union of India through Secretary, Central Board of Excise and Customs, North Block New Delhi.
2. Principal Collector, Customs & Central Excise, Kanpur.
3. Collector Central Excise, Allahabad.
4. Additional Collector (P & V) Allahabad.

. . . Respondents.

Counsel for the Respondents: Kumari Sadhna Srivastava.

Order (Open Court)

(By Hon'ble Mr. S. Dayal, Member (A.)

This application has been filed by the applicant for payment of arrears of allowances to the applicant with effect from 31.12.82 which

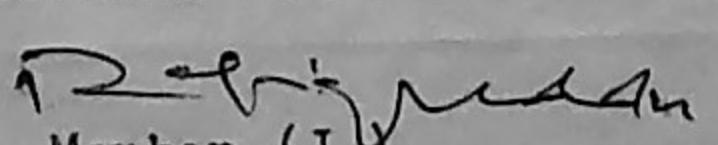
is the date he was promoted to the post of Inspector (Selection Grade) in the scale of Rs.550-900 with interest at the rate 18% and also to pay arrears of pay and allowances with effect from 30.6.89 for the post of Superintendent in the scale of Rs.2000-3000 and interest on pension and D.C.R.G.

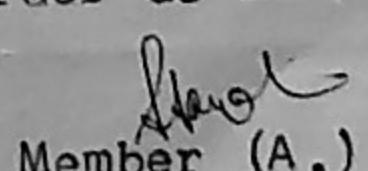
2. We have heard Sri A.V. Srivastava for the applicant and Kumari Sadhna Srivastava for the respondents and perused the record.

3. The basis of the claim of the applicant is that by order dated 16.7.90 he was to have been confirmed in the Grade of Inspector (O.G.) with effect from 1.8.72 instead of 4.8.84 and was assigned seniority on this basis. He was promoted as Inspector (S.G.) on notional basis with effect from 31.12.82 in the scale of Rs.550-900. He was thereafter assigned seniority of Superintendent Central Excise with effect from 30.6.89 by order of Collector Allahabad dated 31.12.90. He claims his arrears of difference of pay and allowances. The Principal Collector by letter dated 22.10.91 asked the Collector Allahabad to take suitable action for immediate payment of arrears of pay and allowances to the applicant under intimation to the office of Principal Collector. Since the arrears were not paid, the applicant addressed a letter to the Secretary, Central Board of Excise and Customs, New Delhi in which he requested the

the Secretary to pay him arrears of pay and allowances with effect from 31.12.82 as Inspector (S.G.) and pay him arrears of pay and allowances with effect from 30.6.89 as Superintendent and also revised his pension and pay arrears of the same. A reminder was sent by the applicant on 30.12.92 of his representation dated 10.8.92. The applicant was informed by letter of Under Secretary to the Department of Revenue, Ministry of Finance, Government of India dated 10.2.93 that his case was under consideration in consultation of the Principal Collector, Central Excise Allahabad. The applicant was advised to remain in touch with Principal Collector in Allahabad regarding early settlement of the case. The applicant addressed the letter to the Principal Collector including a copy of reply received from the Department of Revenue but claims that no action has been taken so far.

4. Since the representation of the applicant is pending and this is not controverted by learned counsel for the respondent, we feel that ends of justice will be met if the respondents are directed to dispose of his representation dated 10.8.92 by a reasoned and speaking order within stipulated time. Respondent No.1 is therefore directed to dispose of the representation of the applicant dated 10.8.92 within a period of three months from the date of receipt of a copy of this order along with a copy of representation. There shall be no order as to costs.


Member (J.)


Member (A.)

Nafees.