

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 10TH DAY OF JULY, 2001

Original Application No. 406 of 1993

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Yashwant Singh, son of late Chhabi  
Nath Singh, a/a 52 years, P.No.  
6956755, SSK Central Ordnance  
Depot Cheoki, Naini, Allahabad.

... Applicant

(By Adv: Shri Rakesh Verma)

Versus

1. Union of India through Defence Secretary, Government of India.
2. Master General of Ordnance Branch, Army Head Quarters Delhi H.Q,P.O. New Delhi.
3. Officer Incharge Army ordnance Corps Records, Secunderabad
4. Commandant Central Ordnance Depot, Chneoki, Allahabad.

.. Respondents

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 the applicant has prayed for multiple reliefs. One of the prayer is that the Respondent-Authority may be directed to pay the entire arrears of salary, from which the applicant is deprived of since 1968, taking into account the promotional benefits also and to grant the seniority accordingly. The applicant has also prayed that the representations filed by him on various dates, may also be directed to be decided the representations. Learned counsel for the applicant has invited our attention to para 10 of Supplementary counter affidavit filed on 9.9.1997. Para 10 reads as under:-

"That it is further submitted that as

regards calling for the details in respect

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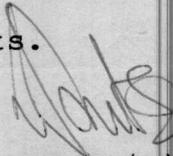
of the petitioner by Army headquarters, it is stated that all the respondents are still quite considerate to the petitioner to grant financial benefits within the frame of rules, if admissible.

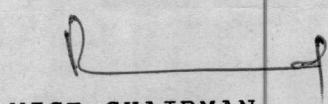
However, a separate case has been processed departmentally for grant of pay protection under letter dated 26.8.1997.

It is reiterated that Annexure Nos RA-5, RA-6 RA-7 & RA-8 filed with the Rejoinder affidavit are not applicable in the present case filed by the petitioner."

On the basis of the aforesaid averment in supplementary counter affidavit learned counsel for the applicant has submitted that the respondents may be directed to consider and decide the representation of the applicant for pay protection expeditiously within a specified time.

The OA is accordingly disposed of finally with the direction to the respondents no.2 Master General of Ordnance Branch, Army head Quarter, Delhi Head Quarter to consider and decide the claim of the applicant by himself or through Competent Authority, within four months, from the date a copy of this order is filed. No order as to costs.

  
MEMBER (A)

  
VICE CHAIRMAN

Dated: 10.7.2001

Uv/

M.A.No.5123/01  
In  
O.A.No.406/93.

13.12.01

Hon.Mr.Justice R.R.K. Trivedi, V.C.  
Hon.Maj Gen K.K. Srivastava, A.M.

Through M.A.No.5123/01 the respondents have sought 3 months further time to comply with the order of this Tribunal dated 10/07/01 passed in O.A.No.406/93. Considering the facts and circumstances, time prayed is allowed with the condition that no further time shall be allowed. M.A.No.5123/01 stands disposed of accordingly.

A.M.

V.C.

/m.m./

OA406/93

10-4-2001

Hon. Mr Justice R. R. K. Trivedi V.C  
Hon. Mr S. Dayal — A.M

Passed over. Could not be taken up  
in the revised list for want of time.  
List again on 2-5-2001.

A.M

V.C