

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1122 of 1995

Allahabad this the 20th day of February, 2001

Hon'ble Mr. V. Srikantan, Member (A)
Hon'ble Mr. S.K.I. Naqvi, Member (J)

Sri S.D. Bhanu, Son of Late Sri Madho Ram, resident
of Sheel Bhawan, M.I.G. 76 Barra-II, Sector-3, Kanpur
Nagar.

Applicant

By Advocate Shri S.D. Dubey

Versus

1. Union of India(Government of India), Ministry of Finance, Department of Revenue, New Delhi through Secretary.
2. Secretary, Central Board of Excise and Customs New Delhi.
3. The Collector of Central Excise, Kanpur.
4. Under Secretary to the Government of India, Ministry of Finance Department, New Delhi.

Respondents

By Advocate Shri S.C. Tripathi

O_R_D_E_R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicant has filed this O.A. seeking relief to the effect that the respondents shall re-fix his salary and allow the consequential benefits in his retiral benefits and also to pay the arrears and interest thereon.

2. As per applicant's case, he was transferred from Aligarh to Kanpur but, he did not comply the same because the order was not coming from the competent authority, which resulted displeasure of the Officers in the department who subjected him to disciplinary proceedings and consequently withholding of 3 increments which affected his pensionary benefits. Learned counsel for the applicant mentions that during pendency of this O.A. and the developments as came out after regularisation of his alleged absence and his exoneration from the article of charge for which he was punished, there remains nothing for which he shall suffer for withholding of those three increments.

3. From the above, we find that the controversy remains very short and the departmental authority are only to enforce the orders passed within department and, therefore, we finally dispose of the matter with the directions as under;

"Incase the applicant files a representation before the competent authority in the respondents establishment within 2 weeks, the same be disposed of by the respondents within 8 weeks from the date of receipt of copy of this order by passing detailed, reasoned and speaking order."

4. Incase some grievance remains to the applicant out of the order passed by the departmental authority in view of the above direction, the applicant may approach again through fresh O.A. for fresh cause of action.

See -

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5. If possible copy of the order, applied as per rules, may be furnished within current week to the learned counsel for the applicant.

S. M. M.
Member (J)

V. A. M.
Member (A)

/M.M./