

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 11 of 1999

Allahabad this the 12th day of March, 2001

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

Shri A.K. Singh, aged about 44 years, Son of Shri
R.P.S. Rathore, resident of House No.NT/III/348,
Maitree Nagar, Armapur, Kanpur.

Applicant

By Advocate Shri R.K. Nigam

Versus

1. Union of India through Secretary, Ministry of
Defence, New Delhi.
2. General Manager, Ordnance Factory, Kanpur.
3. Shri B.K. Sharmah, General Manager, Ordnance
Factory, Kanpur.

Respondents

By Advocate Shri Prashant Mathur

O_R_D_E_R (Oral)

ORIGINAL Application No. 11 of 1998

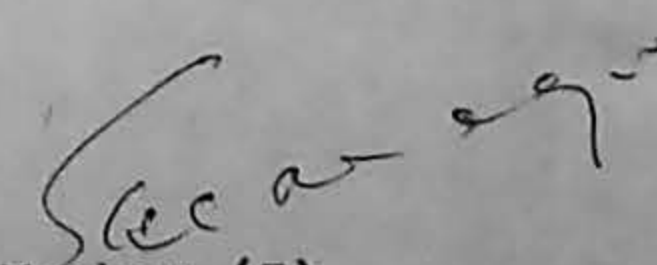
By Hon'ble Mr.S.K.I. Naqvi, Member (J)

In this O.A., main target of the applicant is annexure A-1 dated 29.10.1998 through which all the claims in respect of L.T.C. have been rejected ~~but~~, except for grant of earned leave.

The respondents have contested the case and filed the counter-reply.

Heard learned counsel for the parties and perused the record.

I find ~~the~~ impugned order is very cryptic, non-speaking and without mention of necessary details in this regard. Shri Mathur wishes me to consider the grounds as mentioned in the counter-reply, ~~but~~, for obvious reasons he is ignoring the ~~specific~~ law on pleading that the order cannot be supplemented by the grounds in the pleading and, therefore, grounds mentioned in the counter-reply cannot be taken to supplement the impugned order. It is quite obvious that it amounts to invitation for litigation to know the grounds for which the claim of the applicant ~~is~~ is refused or he is subjected to any disadvantage and, therefore, no alternative remains but to quash the impugned order with directions to the respondents to provide consequential benefit to the applicant, if any. However, liberty is given to the respondents to pass a ~~fresh~~, detailed and reasoned order with specific reference to the rules relied upon. The O.A. is decided with the above observation. No order as to costs.


Member (J)

/M.M./