

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

Dated: Allahabad, the 18th day of January, 2001

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

Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No. 532 of 2000

Anand Prakash,
son of late K.P. Srivastava,
r/o 54-A Badshah Nagar Lucknow,
presently posted at Provincial Division,
P.W.D. Badaun.

. Applicant

(By Advocate Sri Siddharth Srivastava)

Versus

1. Union of India through Secretary,
Ministry of Finance, New Delhi.
2. Controller and Auditor General of India,
10, Bahadurshah Zafar Marg, New Delhi.
3. Accountant General (A & E)-II, Allahabad.
4. Deputy Accountant General (Works) AG (A&E)-II,
Allahabad.
5. Senior Accounts Officer, WMII Section AG (A&E)-II,
Allahabad.

. Respondents.

(By Advocate Sri D.K.Dwivedi)

ORDER

(Open Court)

(By Hon'ble Mr. S. Dayal, AM)


This application has been filed for setting aside the impugned orders dated 14.12.98 and 18.2.2000. A further direction is sought in the nature of mandamus, directing the respondents to fix the salary of the applicant by taking into consideration the options already submitted by the applicant. By the order dated 14.12.98 the pay

Contd..2

of the applicant fixed by a letter dated 29.3.98 was cancelled and the pay was re-fixed and the respondents were directed to recover the excess amount paid to the applicant. By the order dated 18.2.2000, the Executive Engineer, P.W.D., Badaun was informed that the matter was sent to the office of the Controller and Auditor General and that the office has decided that the pay fixation was correct. The learned counsel for the applicant mentions that if implementation of Notification cause any difficulty then Clause 13 of Rule of the Central Civil Services (Revised Pay) Rules, 1986 provides for relaxation or dispensing with the rules by the President.

Admittedly, the applicant has not made any representation or sought any dispensation under the Rule 13 of CCS (Revised Pay) Rules, 1986 after the impugned order dated 18.2.2000 was communicated to the applicant. The applicant may approach ~~to~~ the competent authority for dispensation under this Rule and the competent authority shall decide the representation by a reasoned order within a period of 3 months from the date of receipt of copy of this order.

No order as to cost.


J.M.


A.M.

Nath/