

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.**

ORIGINAL APPLICATION NO.1186 OF 2006

ALLAHABAD THIS THE 26TH DAY OF OCOTOBER 2006.

**HON'BLE MR. JUSTICE KHEM KARAN, V.C.
HON'BLE MR. P.K. CHATTERJI, A.M**

Virendra Bhushan Sharma, Son of Sri A.R. Sharma Presently posted as Assistant Director (Q&A), Grade 2, Office of Director Quality & Assurance 2A/220 Azad Nagar, Kanpur.

.....Applicant.

(By Advocate: Sri M.K. Sharma)

Versus.

1. The Union of India through the Secretary, Ministry of Commerce, Government of India, New Delhi
2. The Director General, Supply & Disposal No.5, Parliament Streat (Sansad Marg) New Delhi.
3. The Director, Quality Assurance, 2-A/220, Azad Nagar, Kanpur Nagar-208002.

.....Respondents

O R D E R

BY HON'BLE MR. JUSTICE KHEM KARAN, V.C.

Heard Sri M.K. Sharma learned counsel for the applicant on this O.A.

2. The applicant is working as Assistant Director, Quality Assurance, Grade-II in the office of Director, Quality Assurance, Azad Nagar, Kanpur Nagar. He has a grievance as regarding the fixation of pay. It is said that similarly situated persons approached this Tribunal at Allahabad by way of filing O.A. No.412 of 2001, A.K. Saxena and others Vs. Union of India and others which this Tribunal finally disposed of vide order dated 10.12.2004. Copy of that order is Annexure No.2. It is said that by that order, the Tribunal has allowed the benefit in the fixation of pay with those persons on the basis of decision dated 19.12.1996 of Calcutta Bench in O.A. NO.357/90. The



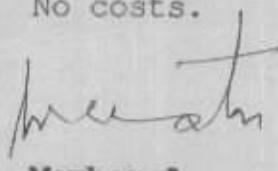
(3)

applicant says that he has given representation to respondent No.2 but nothing has been done on that representation. Copy of such representation is Annexure No.3.

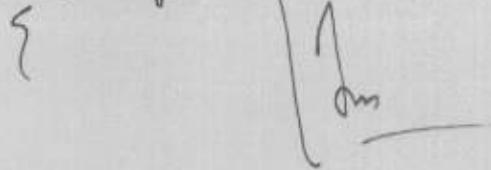
4. We are of the view that appropriate course is to direct the respondent NO.2 to pass suitable order on the said representation (Annexure No.3) of the applicant in accordance with Rules and there is no point in keeping this O.A. pending here without knowing the reason as to why the respondents are not giving the benefit of that judgment to the applicant.

5. So the O.A. is disposed of finally with a direction to the respondent NO.2 to consider and dispose of such representation (Copy of which is Annexure No.3) in the light of relevant Rules and the above decisions of the Tribunal, within a period of 3 months from the date of certified copy of the order is produced before him and in case the applicant is found entitled to the benefit of that judgment, then he be given that ~~relief~~ benefit.

No costs.



Member-A



Vice-Chairman

Manish/-