

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD**

(THIS THE 3rd DAY OF November 2009)

**Hon'ble Mr. A.K. Gaur, Member (J)
Hon'ble Mr. D.C. Lakha Member (A)**

Original Application No.740 of 2006

(U/S 19, Administrative Tribunal Act, 1985)

1. Pradeep Kumar Mukherjee, Son of Late S.S. Mukherjee, Resident of Type-II, Pocket-II, Kendranchal Colony, Preetam Nagar, Dhoomanganj, Allahabad.
2. Manoj Kumar Kushwaha, Son of Shri Radhey Mohan Kushwaha, Resident of Jodhwal Teliarganj, Kushwaha Typing, 172-B Sahu Market, Teliarganj, Allahabad. *Applicants*

Versus

1. Union of India, through Controller and Auditor General of India, 10 Bahadur Shaj Jafar Marg, New Delhi.
2. Senior Audit Officer (General Administration) in the office of Principal Accountant General (Audit-I), U.P. Allahabad. *Respondents*

Present for Applicant : Shri V. Budhwar

Present for Respondents : Shri A. Sthalkar

ORDER

(Delivered by Hon'ble Mr. A.K. Gaur, J.M.)

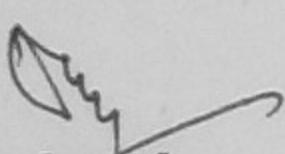
We have heard Sri Vikas Budhwar, learned counsel for the applicants and Sri S.K. Pandey brief holder of Sri A. Sthalkar, learned counsel for the respondents.

2. Learned counsel for the respondents has invited our attention to the decision of Hon'ble Supreme Court reported in 2006 (4) SC-1 State of

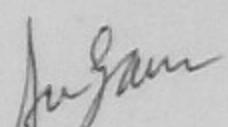
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Karnataka Vs. Uma Devi and vehemently urged that in view of the decision of Hon'ble Supreme Court there is no substance in the Original Application. The Tribunal cannot pass an order contrary to the dictum of law laid down by Apex Court in Uma Devi's case (supra).

3. Having heard parties counsel at length, we are not inclined to entertain the Original Application and it is accordingly dismissed. However the applicant is at liberty to approach the competent authority in accordance with rules by filing representation if he so advised within a period of two weeks from the date of receipt of certified copy of the order.



Member-A



Member-J

//Sushil//