

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH  
~~XXXXXX XXXXXXXX XXXXXXXX~~

O.A. No. 107/  
~~XXXXXX~~

1991

DATE OF DECISION 17.6.1991

Shri A. Kanare

Petitioner

Mr. S. V. Raju

Advocate for the Petitioner(s)

Versus

Union of India & Ors.

Respondent

Mr. P. M. Raval

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M. M. Singh

: Administrative Member

The Hon'ble Mr. R. C. Bhatt

: Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal? *Yes*

Shri A.Kanare,  
Deputy Superintendent of  
Police, Central Bureau of  
Investigation, Jivabhai Chambers,  
Ashram Road, Ahmedabad-380 009

(5)

: Applicant

(Adv.: Mr.S.V.Raju)

Versus

1. Union of India,  
Through: Secretary,  
Department of Personnel &  
Training, Admn.Reforms and  
Public Grievances & Pension,  
New Delhi.
2. The Director,  
Central Bureau of Investigation  
CGO Complex, Block No.3, Lodhi  
Road, New Delhi-3.
3. D.I.G. of Police, C.B.I.,  
Tanna House, 4th Floor,  
IIA Nathalal Parekh Marg,  
Bombay.

: Respondents

(Adv. Mr.M.R.Raval for Mr.P.M.Raval)

O R A L   O R D E R

O.A.107/91

Date: 17.6.1991

Per: Hon'ble Mr. M.M.Singh

: Administrative Member

1. In this application filed under Section 19 of the Administrative Tribunals Act, 1985 the applicant seeks to quash and set aside the orders dated 26.7.1990 Annexure A/5 and reply of Assistant Director (E), CBI, New Delhi to the Superintendent of Police, Central Bureau of Investigation, Ahmedabad on the subject of representation dated 20.2.1990 of the applicant. The further request is that the applicant's pay should be fixed in the pay scale after crossing of efficiency bar as if the applicant had crossed the same from 1.4.85 without payment of arrears of salary, allowance, etc.

2. We have gone through the <sup>1</sup> same reference above dated 26.7.1990. The <sup>2</sup> stand of the Department of Personnel to whom the applicant's representation was forwarded informed that

*H. H. J.*

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pending disposal of the Review Petition filed by the applicant, <sup>on</sup> <sup>h</sup> no action is being taken by the Union Govt. ~~from~~ <sup>course</sup> the petition and that the applicant may be informed accordingly. Now that the Review Application has been disposed of, the proper ~~cause~~ cause for the applicant should be to inform the Department of Personnel, Govt. of India with reference to Annexure A/5, dated 26.7.1990 about the finalisation of the review application so that the Govt. of India may be able to take the proper decision in the representation.

3. Normally we should ~~have to~~ dispose of the application by such a direction to the applicant. However, as an <sup>deem</sup> <sup>h</sup> application has been filed, we leave it proper to direct the Department of Personnel, Govt. of India to treat the original application No. 107/91 filed with this Tribunal as a representation of the applicant to be taken into consideration for the <sup>Department's</sup> <sup>h</sup> decision in connection with the <sup>interim</sup> <sup>h</sup> reply in Annexure A/5 dated 26.7.1990. We, therefore, direct that <sup>a copy of</sup> <sup>h</sup> the original application should be forwarded by the applicant to the department of Personnel with a copy of this order. The department is further directed to decide the representation within three <sup>of his</sup> <sup>h</sup> months of the date of the receipt in the department of Personnel.

4. Application finally disposed of accordingly.

*R.C.Bhatt*  
(R.C.Bhatt)  
Judicial Member

*M.M.Singh*  
(M.M.Singh)  
Administrative Member