

CE NTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK

ORIGINAL APPLICATION NO:381 OF 1991
Date of decision:11.5.93

Versus

Union of India and others Respondents

For the Applicant ... M/s J.P. Mohanty and
T. Khan, Advocates.

For the Respondents ... Mr. A. K. Mishra,
Senior Standing Counsel
(Central)

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CORAM:

THE HONOURABLE MR. K.P. ACHARYA, VICE CHAIRMAN

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1. Whether reporters of local papers may be allowed to see the judgment? Yes.
2. To be referred to the reporters or not?
3. Whether His Lordship wish to see the fair copy of the judgment? Yes.

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JUDGMENT

K.P.ACHARYA, V.C.

In this application under section 19 of the Administrative Tribunals Act, 1985, the petitioner prays for a direction to the opposite parties to take immediate and time bound action to notionally fix the pay of the petitioner deeming him to have been selected to lower Selection Grade in the year 1974 and to sanction payment of the arrear amount due to the applicant with effect from 1.6.1974 consequent on the fixation of pay of the applicant with 12 per cent interest thereon.

2. Shortly stated the case of the petitioner is that he was initially appointed on regular basis as a sorter in the Postal Department. In course of time the Petitioner had got promotion to various posts including L.S.G etc. The Petitioner had claimed certain financial benefits which was denied to him by the Opposite Parties and therefore, this application has been filed with the aforesaid prayer.

3. There is no appearance on the side of the petitioner. I have heard Mr. Aswini Kumar Misra learned Standing Counsel (Central) for the Opposite Parties and I have pursued the pleadings with the assistance of Mr. Misra learned Standing Counsel. Mr. Misra submitted a letter, in original, addressed to him by the Asst. Director (Staff) on behalf of the Chief Post Master

V/N

General. Therein it stated that the pay of Shri C.V.S.A. Sharma, Stg. Asst., RMS BG' Division, Berhampur has been ordered to be fixed notionally in LSG cadre against 1974 quota and consequent upon his notional promotion the arrear pay and allowances amounting to Rs.29,626/- for the period from June, 1974 to December, 1992 has been drawn and paid to the Petitioner Shri Sharma on 20th January, 1993. It may again be stated that there is no appearance on the side of the petitioner to contradict the statement. Therefore, I am bound to presume that the relief claimed by the petitioner has been given to him by the departmental authorities. Hence this application has ^{is} been disposed of as infructuous. There would be no order as to costs.

by [Signature]
11.5.93
VICE CHAIRMAN

Central Administrative Tribunal,
Cuttack Bench, Cuttack/K. Mohanty/
11.5.93.

