

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Postal receipt sent

on 6.10.04.

ad 7.10.04

For further and

16  
6.10.04

Order dt. 07.10.04

postal requisites  
along with copy of  
M.A. No. 246/04 have  
already been filed.  
Issue notice to the  
applicant on the  
address given on the  
O.A. fixing the date  
of hearing on 22.11.04  
as per order of the  
Bench dt. 14.09.04.  
List this matter  
before the Bench  
on 22.11.04.

21/10/04

REGISTRAR

Notice may be sent  
to the applicant with  
order dt. 14.9.04 and  
7.10.04.

16.10.04

19/10/04  
S.O.T.

Order dated 6.12.2004

Heard Shri U.B. Mohapatra, learned Sr. Standing Counsel for the Respondents and Shri K.C. Kanungo, learned counsel for the applicant in O.A. on M.A. 246/04 filed by the Respondents seeking clarification of our order dated 4.12.2000. After considering the case of the applicant and after hearing both the parties, the Tribunal came to the conclusion that the period of service of the applicant with effect from 1.6.1977 till his regular appointment as Driver on 8.12.1996 "necessarily to be taken into account towards pensionable service and this being the only prayer made by the applicant in this O.A. is accordingly allowed".

From the order as quoted above, it is clear that the Tribunal gave relief to the applicant on his <sup>OA</sup> way by allowing counting of service from 1.6.1977 to 8.12.1996 (when he was regularly appointed) for the purpose of pension. In the circumstances, we see no scope for the Respondents to entertain any doubt or confusion in their minds as the order is explicitly clear and unambiguous. Therefore we direct the Respondents to treat the period of service of the applicant from 1.6.1977 to 8.12.1996 as qualifying service for the purpose of calculating pensionable service. M.A. 246/04 is accordingly disposed of.

Hand over copies of the order to the parties.

MEMBER (JUDICIAL)

VICE-CHAIRMAN