

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

O.A.NO.581 of 2006

Harbans Sharma Applicant

Vs.

Union of India & Ors. Respondents

Order dated: 7th August, 2008

By drawing my attention to the copy of the order of this Tribunal dated 9th May, 2008 in OA No. 582 of 2006 filed by Nalini Pati Vs UOI and Others, it has been submitted by Learned Counsel for the Applicant that the issues involved in the present case are exactly the same in OA and therefore, this case needs to be disposed of in the light of the direction given in the above case. This is also not disputed by Learned Counsel appearing for the Respondents. However, after hearing learned Counsel for both sides, records of this case vis-à-vis the records of OA No. 582 of 2006 were perused.

2. On perusal of records of both the cases, it is noticed that on factual as well as the Rules based on which the Applicant claims relief in this case are totally identical. Also it is seen that contentions put forth by the



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Respondents in the counter filed in this case are more or less same as in the counter filed in OA No. 582/2006. In this view of the matter, I find no reason to differ from the view taken in OA No. 581/2006. Hence, it is held that the decision rendered/direction given in OA No. 582/2006 shall abide in this case also. Accordingly, the Respondents are hereby directed to consider the case of antedating the date of regularization of applicant at par with his junior thereby entitling him to get enhanced rate of retirement benefits minus the benefits already received by him. This exercise shall be completed within a period of ninety days from the date of receipt of copy of this order.

3. In the result, this OA stands allowed in the afore-stated terms. No costs.

4. This order shall also accompany the order dated 9th May, 2008 in OA No. 582 of 2006.


(C.R. MOHAPATRA)
MEMBER (ADMN.)