

9
OA 823/02

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

ORDER DATED: 7/10/2004.

On. 21. 7. 04

Copies of order
prepared in counsel
for both sides

14/2

14/2
80/5


Heard learned counsel for both sides on M.A.No.769 of 2004 filed by the Applicant seeking amendment to the O.A. as per the schedule appended to the M.A.Mr.Rath, Learned Standing Counsel appearing for the Respondents has raised objection to the amendment on the ground that if the amendment is allowed the nature and character of the O.A. will be changed. From the amendment petition it also appears that the Applicant is raising new issues regarding short payment of gratuity without assigning reason, short payment of P.F. dues and raising a dispute on the amount disbursed on account of CGEIS. These are undoubtedly, new issues because in the O.A. the point raised was whether it was justifiable to allow only 50% of the casual service for the purpose of pension. In this view of the matter we agree with the submission made by learned Standing counsel that the amendment if allowed will change the nature and character of this O.A. Accordingly the amendment petition is disallowed. However, liberty is granted to the Applicant to file a representation before the Respondents ventilating his grievances as made out in the M.A. and seek remedy, within a period of thirty days from ^{the date of receipt of his order} ~~today~~ and the Respondents are hereby directed that on receipt of representation the same may be considered as per the rules within a period of another 90 days from the date of receipt of such representation from applicant. Accordingly, this O.A. in which the Applicant

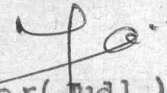
10

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has prayed for counting the 100 per cent
of casual service is rejected.


Vice-Chairman


Member (Judl.)