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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,
J O D H P U R.

Date of Order: 25.8.1995.

O.A. NO.113/95

Pratap Singh Narjirary ... Applicant.

vs.

Union of India & Ors. ... Respondents.

Mr. Y.K. Sharma, Counsel for the Applicant.

Mr. R.K. Soni, Counsel for the Respondents.

...

C O R A M:

Hon'ble Mr. N.K. Verma, Administrative Member.

BY THE COURT :

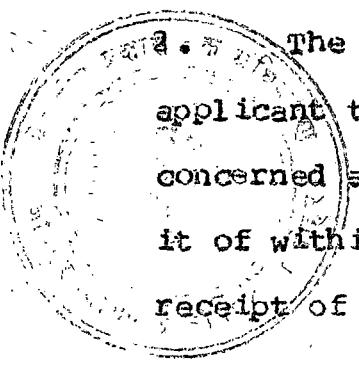
In this OA the applicant has come again for the reliefs which ~~was~~ sought in OA No.543/1991 which was decided by order dated 7th August, 1992 by this Bench wherein the respondents were directed to give ~~all~~ consequential benefits to the applicant within a period of 4 months from the date of the order. A Contempt Petition No.2/93 was also filed by the applicant regarding non compliance, but the same was not pressed due to the fact that in the meantime the respondents had already issued orders fixing the lien of the applicant in Allahabad Division and promoting him on pro forma basis by the orders placed at Annexure A/5 and A/6 of this O.A. Annexure A/5 is dated 17.5.1993 and Annexure A/6 is dated 27.5.1993 whereby his promotion and pay ~~were~~ fixed in the grades of Senior Clerk and Head Clerk from the dates it became due. The applicant has now come with a grievances

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that no payment of arrears has been made to him so far. However, he was not able to produce any documentary evidence in support of this claim which he should have made after the receipt of the orders at Annexure A/5 and A/6. The applicant is still continuing in service and he has all departmental remedies available to him for effecting compliance of the orders of this Bench and subsequently ~~of his~~ own administration. It seems that the applicant has rushed to the Tribunal without exhausting the departmental remedies available to him. In the circumstances, this OA. is not maintainable both on account of the fact that it is hit by res judicata and also the departmental remedy ^{has} ~~not~~ been availed of.

The OA is disposed of with the direction to the applicant that he will make a representation to the concerned authority in the matter who shall dispose it of within a period of two months from the date of receipt of the same. No order as to costs.


N.K. VERMA
(N.K. VERMA)
Member (A)