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CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,
JODHPUR.

O.A.No.343/95.

Date of Order:18.1.1996

Manohar D. Pandit

... Applicant

VERSUS

Union of India & Ors.

... Respondents.

Mr. J.K. Kaushik

...Counsel for the Applicant

CORAM :

Hon'ble Shri Gopal Krishna, Vice Chgairman

Hon'ble Shri O.P. Sharma, Administrative Member.

PER HON'BLE SHRI GOPAL KRISHNA :

Applicant Manohar D. Pandit in this application under section 19 of the Administrative Tribunals Act, 1985, has claimed a direction to the respondents to allow due fixation of the pay to the applicant on the post of Chargeman 'A' ignoring the ex-facie illegal, prolonged down gradation of post and for a revision of the pensionary benefits with all consequential benefits.

2. We have heard the learned counsel for the applicant and have perused the records carefully.

3. The contention of the applicant is that he was posted to work on the post of Chargeman 'B' with scale Rs.425-700. The post of Chargeman 'A' scale Rs.550-750(R) was down-graded temporarily since the actual incumbent Sh. U.S. Joshi was on sick list. Shri U.S. Joshi did not resume his duties on the post of Chargeman 'A' Scale Rs.550-750 and the applicant

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continued to officiate on the same post and he had to shoulder ~~higher~~ responsibilities. He was neither paid any salary nor he was paid ~~an~~ officiating allowance on the promotional post on the ground that the post was temporarily down-graded and there was administrative error in not restoring the post of Chargeman 'A'. The applicant was duly promoted to the post of Chargeman 'B' Scale 425-700/1400-2300 in the year 1990 and was ordered to be promoted to the post of Chargeman on regular basis vide order dated 6.3.91. The applicant continued to work as Chargeman 'A' till his retirement from service on 30.11.1991. He had made a representation in regard to his claims vide Annexure A/5 dated 2.5.92. The learned counsel for the applicant states that this representation is still pending consideration.

4. In the circumstances we dispose of this O.A. at the stage of admission with a direction to the respondent No.1 to decide the representation at Annexure A/5 dated 2.5.92 on merits meeting all the points raised therein through a detailed speaking order within three months of the date of receipt of a copy of this order. A copy of the O.A. and Annexures thereto shall be sent to the respondents No.1 alongwith a copy of this order.

(O.P.Sharma
Member (A))

Gopal Krishna
(Gopal Krishna)
Vice Chairman

Received copy
for
18/2/86
(J.K. Vasudevan)

copy of order dated 18/2/86 sent to R&P
with copy of MA + Annexure sent to R&P
file no 506052 B.Y fees paid
Date - 05.2.86 opd

Part II and III destroyed
in my presence on 27/5/02
under the supervision of
section officer () as per
order dated 14/3/02

Section officer (Record)