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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

O.A. No. 79/2001

Date of order: 02.12.2002

B.M. Gulati son of Shri Inderjeet Gulati, 53 years, Draftsman Grade II, in the office of the Garrison Engineer Army Suratgarh r/o MES Colony Suratgarh District Shri Ganganagar.

...APPLICANT.

V E R S U S

1. Government of India, through:
Secretary, Ministry of Defence,
GOI, Raksha Bhawan, New Delhi.
2. Garrison Engineer, Army,
Suratgarh District,
Shri Ganganagar.

3. Principal Controller of Defence Accounts,
Western Command, Sector 9, Chandigarh Head
Quarter-
4. Chief Engineer, Western Command, Chandimandir.
5. Controller General Defence Accounts,
Western Block, R.K. Puram, New Delhi.

...RESPONDENTS.

Mr. Vijay Mehta, counsel for the applicant.
Mr. Kuldeep Mathur, Adv. brief holder for
Mr. Ravi Bhansali, counsel for the respondents.

CORAM:

HON'BLE MR. A.P. NAGRATH, ADMINISTRATIVE MEMBER

HON'BLE MR. J.K. KAUSHIK, JUDICIAL MEMBER

: O R D E R :

PER MR. A.P. NAGRATH, ADMINISTRATIVE MEMBER:

The applicant is aggrieved with the non-fixation of his pay which had been earlier said to have been decided by the department vide order dated 07.06.1979. It is admitted further that in compliance to interim order of this Hon'ble Tribunal, provisionally pay has been paid from 01.01.1996.

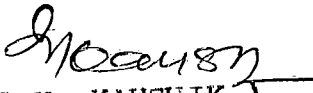
2. Heard the learned counsel for the parties.

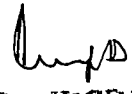
3. The learned counsel for the respondents admits that the matter is under scrutiny of the competent authority of the department but the final decision has not yet been taken.

It is agreed by the learned counsel for either side that this Original Application can be disposed of at the stage of admission with a direction to the respondents to decide the case of the applicant within a fixed time period.

4. Consequently, we direct the respondent no. 4 to decide the case of the applicant in respect of his pay fixation and intimate the decision thereof to the applicant, within a period of three months from the date of receipt of a copy of this order. The payments arising out of such revised pay fixation shall be made to the applicant within a period of two months thereafter. For any delay beyond two months, the applicant shall be entitled to payment of interest @ Rs 9% p.a.

5. The Original Application is disposed of accordingly.
No order as to costs.


(J.K. KAUSHIK)
Judl. Member


(A.P. NAGRATH)
Adm. Member

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Kumawat