

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of Decision : 11.02.2002

O.A No. 241/2001.

Bijay Singh s/o Shri Narayan Singh, aged 23 years r/o Ambedkar Colony, Bikaner, Old Shiv Road, Bikaner Temporary status Labour, 375 COY ASC(supply)

... APPLICANT.

v e r s u s

1. Union of India through the Secretary to the Government, Ministry of Defence, Raksha Bawan, New Delhi.
2. Commanding Officer, 375 ASC COY (supply) Type 'B'.

... RESPONDENTS.

Mr. Vijay Mehta counsel for the applicant.
Mr. Vinit Mathur, counsel for the respondents.

CORAM

Hon'ble Mr. Gopal Singh, Administrative Member.
Hon'ble Mr. J.K. Kaushik, Judicial Member.

: O R D E R :
(per Hon'ble Mr. Gopal Singh)

Heard the Learned counsel for the parties.

2. Learned counsel for the respondents prays for time to file reply. However, we are of the view that this application can be disposed of without his reply, at this stage.

3. This is the third round of litigation by the applicant. In our order dated 10.04.2000 passed in the earlier OA No. 53/99, we had ordered as under :—

"i) The applicant should report on duty on 25th April, 2000 with a written application and the respondents shall take him on duty after receiving the written report relating to joining the duties with a receipt to the applicant.

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ii) The respondents shall make payment of wages to the applicant for the period from July, 98 to Jan. 99 for the days he spent on duty as the rules.

iii) The applicant should represent to the higher authorities in respect of the period starting from 1.2.99 till he is taken on duty, in respect of claim of wages or treating this period as on duty and such representation of the applicant shall be disposed of by the respondents by a reasoned speaking order within a period of three months from the date of its receipt.

The original application is disposed of accordingly. However, there is no orders as to costs."

4. In Para 3 above, the applicant was directed to submit a representation to the respondents in respect of the period from 01.02.1999 till he was taken on duty. Learned counsel for the applicant submits that the representation has been submitted to the authorities but no reply has so far been given. He is not very sure when this representation was submitted. Learned counsel for the respondents submits that this case can be disposed of by a direction to the respondents to consider the representation of the applicant and give a suitable reply to the applicant, if not already given.

5. Accordingly at this stage we consider it appropriate to dispose of this application by a direction to the respondents to consider the representation of the applicant in regard to payment of wages for the period from 01.02.1999 till he was taken on duty i.e. April 2000, by a reasoned order. Ordered accordingly. These directions may be complied with within a period of three months from today. No order as to costs.

J. K. KAUSHIK
(J. K. KAUSHIK)

Judl. Member

GOPAL SINGH
(GOPAL SINGH)

Adm. Member

Part II and III destroyed
in my presence on 3-27-07
under the supervision of
Section officer () as per
order dated 3-27-07
Section officer (Record)