

7/12



**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH,  
JODHPUR**

ORIGINAL APPLICATION NO. 106/2005

DATE OF ORDER: 24<sup>th</sup> April, 2007

CORAM:

**HON'BLE MR. JUSTICE M. RAMA CHANDRAN, VICE CHAIRMAN**  
**HON'BLE MR. R.R.BHANDARI, ADMINISTRATIVE MEMBER**

Kashmiri Lal Son of Shri Peda Ram, aged 45 years, HS, in the office of Garrison Engineer, Abohar R/o Gali No.3, Varyam Nagar, Abohar, District Firozpur.

.....Applicant.

**VERSUS**

1. Union of India through the Secretary, Ministry of Defence, Raksha Bhawan, New Delhi.
2. Commander Works Engineer (Air Force), MES, Bikaner.
3. Garrison Engineer, MES, Suratgarh, District Shri Ganganagar.

.....Respondents.




Present: Mr. Vijay Mehta, Advocate for applicant.  
Mr. M. Godara, Advocate Brief Holder for Mr.  
Vineet Mathur, Advocate for respondents.

**ORDER (Oral)**

**JUSTICE M. RAMA CHANDRAN, V.C**

This application is filed on 22.3.2005 and the complaint of applicant is that consequent to the promotion orders given to him on 15.7.2004 (Annexure A-1), the respondents had not taken effective or expeditious steps to appropriately fix his pay and grant the admissible arrears due to him. On notice respondents had entered appearance and when the matter was taken up for hearing, it has been submitted on behalf of the respondents that there was no lapse on their part, and in any case the fixation benefits will be given to the applicant within 3 months from today.

2. The applicant has been given promotion with retrospective effect, to be operative from 15.10.1984 and it is seen that such orders have been passed on 15.7.2004. Respondents highlight the



4/3

circumstances that the applicant was functioning under the Garrison Engineer at Suratgarh and he had been transferred to Sriganganagar and later to Abohar. Since particulars were to be collected from different offices it took time. It is further submitted that the impact of the 5<sup>th</sup> Pay Commission Report and the restructuring exercises to be adopted meant that the work took time. Further it is pointed out that it was only after the application was filed that the applicant has submitted an option and files could be processed only thereafter and the work is almost finished.

3. These may not be sufficient excuses, since we find that the fixation is not complete even now. We do not think any further observation is required to be passed by us in view of the submission of

the respondents that it would be ensured that within the time frame agreed by them viz three months, the fixation will be completed and appropriate benefits granted. This is recorded. The application is disposed of accordingly.



4. No costs.

*R. R. Bhandari*

**( R.R.BHANDARI )  
Administrative Member**

*M. Rama Chandran*

**( JUSTICE M.RAMA CHANDRAN )  
Vice Chairman**

HC\*

Part II and III destroyed  
in my presence on 03-6-14  
under the supervision of  
section officer ( ) as per  
order dated 02-6-14

*[Signature]*  
Section officer (Record)

*[Signature]*  
1197  
3/15