

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

ORIGINAL APPLICATION NO: 442/2003.

THIS, THE 24th DAY OF SEPTEMBER 2003.

HON. MR. KULDEEP SINGH MEMBER(J)

HON. MR. S.K. AGARWAL MEMBER(A)

S.C. Chandra aged about 60 years son of Late Hari Shankar Sharma R/o D-2100, Indira Nagar, Lucknow.

....Applicant.

(BY ADVOCATE SHRI M.A. SIDQUI)

VERSUS

1. Union of India through the General Manager
North Eastern Railway Gorakhpur.

2. The D.R.M. North Eastern Railway Ashok Marg
Lucknow.

3. The D.R.M. (P) North Eastern Railway Ashok Marg
Lucknow.

....Respondents.

(BY ADVOCATE SHRI ARVIND KUMAR)

ORDER (ORAL)

BY KULDEEP SINGH MEMBER(J)

By this Original Application, the applicant has
sought following reliefs:-

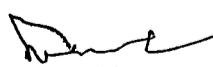
"1. The Hon'ble Tribunal be pleased to quash the impugned order as contained in Annexure No. A-2.

2. After quashing the impugned order, the respondents be directed not to recover any arrear from the retiral benefit/D.A. relief etc.

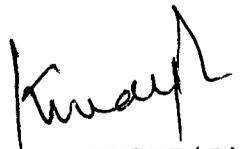
3. The respondents be directed to give all the benefit on last pay drawn as per pay slip of August 2003 & Rs. 7300/P.M. without reducing."

2. Counsel for the respondents Shri Arivind Kumar has pointed out that the department has issued a letter 23rd September, 2003 whereby, the pay revision of the applicant has already been corrected and has been postponed till the next order. The grievance of the applicant in this O.A. is that the respondents have reduced and revised the applicant's pay from 1974 to February 2003 arbitrarily and illegally without any show cause notice. Learned counsel for the respondents has submitted that since, the impugned order dated 11.9.2003 has been withdrawn the O.A. has become infructuous.

3. In view of the discussions made above, the original Application is dismissed as *it has become infructuous*. Respondents have liberty to issue a show cause notice to the applicant. If the applicant has any grievance after the show cause notice is decided, he may approach this Tribunal again, if so advised. Respondents is directed that no recovery will take effect till the decision of show cause notice. No costs.



MEMBER (A)



MEMBER (J)

Lucknow; dated 24.9.2003.
