

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
O.A. No. 539/05

LUCKNOW, THIS THE 23rd day of December, 2005

HON'BLE SHRI JUSTICE M.A. KHAN, V.C.

1. Balram son of Sri Karan Ram resident of village Shokil, District Lahaul Sipiti (Himachal Pradesh) presently posted at C.O. Tikoniya Lakhimpur Kheri.
2. Birchand son of Phochog, r/o village Gunda, District Lahoul Sipiti (Himachal Pradesh) presently posted as A.O. office S.S.B.
3. Mahendra Singh son of Shesha Ram, resident of Village Jethani District Kulloo (Himachal Pradesh) presently posted at S.A.O. office Lakhimpur Kheri.
4. Uttam Chand son of Sri Koka Ram resident of village Shera, District Kangra (Himachal Pradesh) presently posted at S.S.B. C.O. Tikoniya office Lakhimpur Kheri.
5. Mast Ram son of Sri Ucchabram resident of Village Harwani, District Mandi (Himachal Pradesh) presently posted at V Bn. SSB District Lakhimpur Kheri.
6. P.C.Rai son of Ashwani Kumar Rai resident of Charnjuki District Koka Jhar State of Assam presently posted at Office of C.O. District Lakhimpur Kheri.

Applicants

By Advocate Shri D.N. Srivastava
Vs.

1. Union of India through the Secretary Ministry of Home Affairs, Govt. of India, New Delhi.
2. Director general of Special Service Bureau Block B, Mast, R.K. Puram, New Delhi.
3. Inspector General, Headquarters, S.S.B. Special Service Bureau) Lucknow.
4. Deputy Inspector General Headquarters Special Service Bureau, Lakhimpur Kheri.

Respondents

By Advocate Shri Y. Kesarwani.

Order (oral)

By Hon. Shri Justice M.A. Khan, V.C.

1. The applicant has filed this O.A. for direction to the respondents to pay ration money allowance to him since 1992 onwards. It is alleged that the applicant is working as Peon in Sashastra Sena Bureau (SSB) and is eligible to be granted ration money allowance, but the same has not been paid. The learned counsel at the Bar has stated that the claim

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of the applicant is confined to his posting at Himachal Pradesh during the period from 1990 to 2000. The learned counsel for the applicant has stated that the many High Courts like J & K High Courts and Guwahati High Courts have allowed the claim of the similarly situated persons besides some of the Benches of this Tribunal has also upheld the claim of similarly situated persons in several orders. The learned counsel for the respondents, has submitted that in the counter reply, the respondents have stated that the applicants are not eligible for the grant of ration money allowance since they are class IV employees and do not come within the purview of Ministerial cadre and belong to Misc. cadre of S.S.B.

2. At the time of hearing it is submitted that the representation made by the applicant to the respondents for redressal of their grievances has not been decided by the respondents. Therefore, it was requested that the O.A. may be disposed of with the direction to the respondents to take a decision in the matter in the light of the extant rules and instructions and various orders of High Courts and the Principal Bench and other Benches of this Tribunal.
3. The learned counsel for the respondents has stated that there is a judgment of the Principal bench also by which the claim of the similarly situated persons was disallowed. Anyhow, the decision on the representation of the applicants has not been taken by the respondents. Accordingly, I am inclined to

accede to the request of the applicant and dispose of this O.A. at this stage as it will not cause any prejudice to the rights of the respondents which are free to take decision on the representation of the applicant as per rules and instructions and in the light of the judgments of Hon'ble High Court and of this Tribunal including the Principal bench.

4. Accordingly, this O.A. is disposed of with the direction to the respondents to decide the representation of the applicant copy of which is Annexure A-4 by reasoned order in the light of extant rules and instructions and also in the light of judgments ~~and the judgments~~ of the High Courts and the order of this Tribunal within two months from the date when the copy of this representation and the orders of High Court other Benches of the Tribunal including Principal bench and copy of this order is received by them. The learned counsel for has undertaken to supply copies of the aforesaid representation and orders of High Courts and of the ^{order of this Tribunal} ~~order of this Tribunal~~ Tribunal to the respondents within 15 days. The O.A. stands disposed of with the above directions. No costs.

M.A. Khan
(M.A. KHAN)
V.C.