

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
LUCKNOW BENCH,  
LUCKNOW.**

**Original Application No. 293 of 2011**

This the 28th day of July, 2011

**Hon'ble Mr. Justice Alok Kumar Singh , Member-J**  
**Hon'ble Mr. S.P. Singh, Member-A**

Ravi Kant Pandey, Aged about 48 years, S/o late Hari Kishore Pandey, R/o 156, Shankaracharya Nagar, Near Bypass Semra Gaon, P.S. Naubasta District Kanpur Nagar, presently posted as Junior Accounts officer, Bharat Sanchar Nigam Limited, Office of TDM, Unnao

.....Applicant

By Advocate : Sri R.K. Mishra

Versus.

1. Chief Managing Director, BSNL, 20 Ashoka Road, New Delhi.
2. General Manager (Finance) U.P. (E), Telecom Circle, Lucknow.
3. Divisional Engineer (Admn) Office of TDM, BSNL, Unnao.

.....Respondents.

By Advocate : Sri G.S. Sikarwar

**O R D E R (Oral)**

**By Justice Alok K Singh, Member-J**

Heard the learned counsel for the parties and perused the material on record.

2. This O.A. has been filed seeking directions to the respondents to make payment of subsistence allowance from the date 28.6.2008 to 23.4.2009 to the applicant alongwith 18% interest per annum for his suspension period.
3. Learned counsel for the applicant submits that he wants to confine his prayer to the extent that his pending representation dated 14.6.2011 (Annexure-4) may be directed to be disposed of within a stipulated period. From the other side, it is opposed on

AC

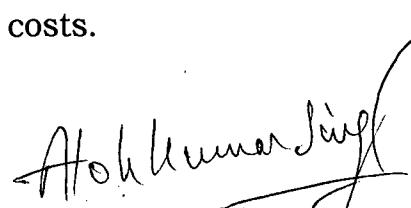
the ground that subsistence allowance has already been granted in favour of the applicant in accordance with law w.e.f. 24.4.2009. Sri Sikarwar further submits that in view of Rule 31(2)(iii) since the applicant was in jail in respect of several sections of Indian Penal Code and was not granted the bail, the subsistence allowance could not have been paid for the period when the applicant was in jail. But learned counsel for the applicant replies that he was granted bail on 30.3.2009 itself, though he has not mentioned in his representation.

4. In view of the above, this O.A. can be disposed of finally at admission stage with some directions to both the parties. Accordingly this O.A. is finally disposed of with a direction to the applicant to make a fresh representation within 15 days from today disclosing the exact date of his bail to the respondents, who shall dispose of fresh representation alongwith pending representation dated 14.6.2011 by passing a reasoned and speaking order within a period of three months from the date the representation is made available to the respondents alongwith certified copy of this order. No order as to costs.



(S.P. Singh)

**Member-A**



(Justice Alok K Singh)

**Member-J**

Girish/-