

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW**

**Original Application No.47/2011
This the 11th day of February 2011**

Hon'ble Mr. Justice Alok Kumar Singh, Member (J)

Arvind Vikram Singh, aged about 53 years, S/o Late Balram Singh, R/o H-10-D, Sector-D, L.D.A. Colony, Kanpur Road, Lucknow.

...Applicant.

By Advocate: Sri S.P. Singh.

Versus.

1. Union of India through the Secretary to the Government of Indian, Ministry of Defence, New Delhi.
2. Secretary Defence (Expenditure), Ministry of Defence, New Delhi.
3. Secretary, Ministry of Labour & Employment, Shram Shakti Bhawan, Rafi Marg, New Delhi.
4. Chief Administrative Officer, Ministry of Defence, Dalhausi Road, New Delhi.
5. C.D.A., Western Command, Chandigarh.

.... Respondents.

By Advocate: Sri R. Mishra.

ORDER (Oral)

Hon'ble Mr. Justice Alok Kumar Singh, Member (J)

This OA has been filed for issuance of an order or direction to the respondents to pay the arrears of Sterilization Allowance from due date i.e. December 1999 till date and continue to pay it alongwith monthly salary.

2. According to the applicant he belongs to Indian Defence Estate Service and presently posted as Director, Defence Estate, Central Command, Ministry of Defence, Lucknow Cantt., Lucknow. His wife was operated for Tubercotomy (Sterilization) in 1993. Thereafter, he was

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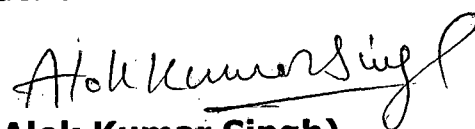
allowed Sterilization Allowance by the respondents which was being paid till November 1999. Then he was sent on deputation to the Govt. of U.P. on special duty in February, 1997. He remained on deputation in the service of State of U.P. w.e.f. 11.02.1997 to 30.11.1999, thereafter, he was repatriated to the parent department. During this period, due to some mistake on the part of the State of U.P. his Sterilization Allowance was not paid. Thereafter applicant had worked in the Directorate General Defence Estate, New Delhi w.e.f. 02.11.1999 to 20.08.2001. Then again he was sent on deputation to the Ministry of Labour & Employment, Govt. of India w.e.f. September, 2001 and he worked there till January, 2010. Thereafter he was again repatriated to his parent department and presently he is posted at Lucknow. He submitted a representation dated 26.09.2008 to the Special Secretary and Chief Account Officer, Secretariate, Govt. of U.P. in respect of non payment of Sterilization Allowance (Annexure 2). In response thereof Govt. of U.P. issued an order dated 19.11.2008, allowing the payment of Sterilization Allowance and also issued Demand Draft of Rs.3364/-, which was the arrear of the same during the period of deputation i.e. 11.02.1997 to 30.11.1999 (Annexure-3, 4 and 5). But despite rectification of mistake by the State of U.P. and issuance of the revised L.P.C. on 19.11.2008, the respondents are still not allowing the payment of Sterilization Allowance to the applicant w.e.f. December, 1999 till date. On 03.02.2009, the Directorate General Defence Estates (Admn.) wrote a letter to the Respondent No.4 for issuing revised L.P.C. (Annexure-6). In response to the letter dated 03.02.2009, Respondent No.4 wrote a letter dated 10.02.2009, requesting to forward pre-receipt supplementary bill by the officer alongwith revised and pre-revised duty audited and ink signed LPCs

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issued by U.P. Government (Annexure-7). In furtherance of that letter Assistant Director (Admn.) Defence Estates wrote a letter dated 16.03.2009 enclosing therewith required documents (Annexure-8). But despite fulfillment of all the formalities on the part of the applicant as well as concerned officers, the respondents are still sitting over the matter and did not take any action. Feeling aggrieved by the inaction on the part of the respondents, the applicant submitted a representation dated 7.04.2010 (Annexure-9). But unfortunately, the respondents have not taken required action even after a lapse of such a long period. Hence, this OA.

3. Heard the learned counsel for the parties and perused the material on record. With the consent of both the learned counsel this case is being decided at the admission stage itself. The learned counsel for other side fairly agrees that it would be appropriate if this OA is decided finally with a direction to the respondents to dispose of the aforesaid pending representation within a reasonable time.

4. In view of the aforesaid facts and circumstances this OA is finally disposed of with a direction to the respondents to dispose of the pending representation dated 07.04.2010 (Annexure-9) within one month from the date a certified copy is served up on them. No order as to costs.


(Justice Alok Kumar Singh)
Member (J)