

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA.**

R.A. No. 57 of 2007
(Arising out of OA 168 of 2006)

20/12/07
Date of order :

C O R A M

**Hon'ble Mr. Justice P.K. Sinha, Vice-Chairman
Hon'ble Mr. Amit Kushari, Member (A)**

Tripurari Kumar Sinha.

Vs.

Union of India & Ors.

O R D E R
[By circulation]

By Amit Kushari, M [A]:-

The applicant is aggrieved since no time frame has been fixed for the implementation of the order of this Tribunal in OA No. 168 of 2006 dated 6.9.2007. The applicant's OA had been allowed and it was mentioned in para 3, " We are of the view that the applicant should not be reverted to lower pay scale w.e.f. a back date and no consequential recovery should be made him".

2. Since the essential nature of the order was that of preventing the respondents from inflicting any harm on the applicant no time frame had been fixed. However, after giving a further thought to the issue I feel that the respondents had indeed issued an order of reversion earlier and had ordered for consequential recovery and that order of the respondents needs to be cancelled and

for issuing of that cancellation order perhaps a time limit should be fixed. If time limit is not fixed then the cancellation order will not be issued and the applicant may remain in a state of prolonged uncertainty with a sword hanging on his head, *for six months*. Therefore, on reconsideration I feel that we should fix the time frame of two months from the date of receipt of order for implementation. We may issue an addendum to our judgment dated 6.9.2007 on these lines.



[Amit Kushari] M[A]

srk.

Hon'ble V.C.