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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

OA.NOs.37/2000 & 38/2000

Friday this the 14th day of January, 2000.

CORAM : Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman

Hon'ble Shri D.S.Baweja, Member (A)

C.P. Pathan,  
President of All India  
Military Engineering Service,  
12/14 Rajgit Chambers,  
S.B.Marg, Opp.Old Custom House,  
Bombay. & Anr.

... Applicants

By Advocate Ms.S.D.Gulhani  
for Shri Suresh Kumar

V/S.

Union of India through  
The Secretary, Ministry  
of Defence, South Block,  
New Delhi. & Ors.

... Respondents

O R D E R (ORAL)

{Per : Shri Justice R.G.Vaidyanatha, VC}

This is an application filed by the applicant seeking a direction against the respondents for implementing the scheme as per O.M. dated 9.8.1999. Heard Ms.S.D.Gulhani on behalf of Shri Suresh Kumar, learned counsel for the applicant.

There is nothing on record to show that the applicants had made any representation to the administration before approaching this Tribunal. The scheme of 1999 has come recently in August, 1999. The applicants must first exhaust the remedy of making a representation to the competent authority seeking the implementation of the scheme and if no action is taken for six months then they can approach the Tribunal. Therefore, the application is disposed of at the admission stage with liberty to the applicants to make a formal representation to the administration for getting the benefit of the scheme dated 9.8.1999. In spite of the representation and waiting for six months, the applicants do not get relief, then they may approach the Tribunal according to law. All contentions raised on merits are left open.

(D.S. BAWEJA)

MEMBER (A)

(R.G. VAIDYANATHA)

VICE CHAIRMAN

mrj.