Original Application No: 1197/92

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DATE OF DECISION 22.1.1993

Shri P.N.Nikalje ———————————— Petitioner

Shri S.P.Saxena ———————————— Advocate for the Petitioners

Versus

The Director of Postal Services, Pune Respondent
~~& Ors.~~

Sh.V.M.Bendre for Sh.P.M.Pradhan Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri Justice S.K.Dhaon, Vice Chairman

The Hon'ble Shri

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No

(S.K.DHAON)
VICE CHAIRMAN

NS/

OA.NO. 1197/92

Shri P.N.Nikalje   ...   Applicant

     V/S.

The Director of Postal Services,
Pune & Ors.   ...   Respondents

      CORAM: Hon'ble Vice Chairman Shri Justice S.K.Dhaon

Appearance

Shri S.P.Saxena
Advocate
for the Applicant

Shri V.M.Bendre
for Shri P.M.Pradhan
Advocate
for the Respondents

ORAL JUDGEMENT   Dated: 22.1.1993
(PER: S.K.Dhaon, Vice Chairman)

     The short question is whether the applicant should
have been paid subsistance allowance on the basis of the
pay which was payable to him on account of revision of the
same in accordance with the recommendation of the 4th Pay
Commission.

2.   A reply has been filed on behalf of the respondents.
The admitted facts are these. On 13.2.1985 the applicant
was suspended from service pending disciplinary proceedings.
On 28.2.1986 the applicant was compulsorily retired from
service as a measure of punishment. With effect from 1.1.1986
the recommendation of the 4th Pay Commission was applied and
given effect to by the respondents. On 8.8.1991 the OA.NO.782/89
preferred by the applicant challenging the order of 28.2.1986
compulsorily retiring him from service was allowed by this
Tribunal and the order of punishment was quashed. On 28.3.1992
a fresh order compulsorily retiring the applicant from service
had been passed.

.. 2/-