

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

CIRCUIT SITTING AT NAGPUR

O.A. NO: 579/93

199

T.A. NO: --

DATE OF DECISION 10-9-93

R.M.Dhakate

Petitioner

Mr.S.V.Gole

Advocate for the Petitioners

Versus

Director of Accounts (Postal)

Respondent

Mr.R.S.Sundaram

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice M.S.Deshpande, V.C.

The Hon'ble Mr. --

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporter or not? NO
3. Whether the Lordships wish to see the fair copy of the judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal? NO


(M.S.DESHPANDE)

VC

mbm* M

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

0.A.579/93

R.M.Dhakate,
45, Navajivan Colony,
Wardha Road,
Nagpur -440 015.

.. Applicant.

-versus-

1. Director of Accounts (Postal)
Civil Lines, Nagpur.

2. Post Master General,
Nagpur Region,
Shankar Nagar,
Nagpur.

3. Director General,
Posts & Telegraphs,
New Delhi.

.. Respondents

C oram: Hon'ble Shri Justice M.S.Deshpande
Vice-Chairman.

Appearances:

1. Mr.S.V.Gole
Advocate for the
Applicant.

2. Mr.R.S.Sundaram
Counsel for the
Respondents.

ORAL JUDGMENT: Date: 10-9-93
(Per M.S.Deshpande, Vice-chairman)

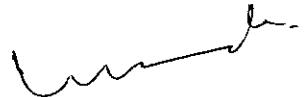
Heard Mr.S.V.Gole for the applicant
and Mr.R.S.Sundaram for the respondents.

2. For not granting the benefit of payment of arrears, the respondents rely on clause 2 of the circular dt. 8-1-1982 issued by the Ministry of Home Affairs, Department of Personnel and Administrative Reforms, Annexure -I which shows that no arrears are allowed in respect of the period prior to the date of actual promotion. This portion of the circular has been struck down by Full Bench of this Tribunal in K.Ch.Venkata Reddy & Ors. vs. U.O.I., 158 Full Bench Judgments (CAT). Admittedly sealed cover procedure was followed in the present case.

2. The applicant is obviously entitled to the reliefs which is being claimed and it is directed that the respondents should pay to the applicant all the monetary benefits from 17-9-79 that being the date of promotion and since the promotion was held in abeyance but came to be granted retrospectively by order dt. 6-11-90. The payment be made within three months from the date of receipt of a copy of this order.

3. The application is disposed of accordingly.

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(M.S.DESHPANDE)
V.C.