

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION NO. : 394/98

Date of Decision : 27.3.2002.

M.S.Nadaf Applicant

Shri S.P.Kulkarni Advocate for the
Applicant.

VERSUS

Union of India & Ors. Respondents

Shri S.S.Karkera for Advocate for the
Shri P.M.Pradhan Respondents

CORAM :

The Hon'ble Shri S.L.Jain, Member (J)

The Hon'ble Smt.Shanta Shastry, Member (A)

- (i) To be referred to the reporter or not ?
- (ii) Whether it needs to be circulated to other Benches of the Tribunal ?
- (iii) Library

S.L.JAIN
(S.L.JAIN)
MEMBER (J)

mrj.

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

OA.NO.394/98

Dated this the day of 2002.

CORAM : Hon'ble Shri S.L.Jain, Member (J)

Hon'ble Smt.Shanta Shastry, Member (A)

M.S.Nadaf,
Assistant Postmaster,
Sangli Head Office,
Sangli.

....Applicant

By Advocate Shri S.P.Kulkarni

vs.

1. Union of India
through Postmaster General,
Goa Region, Goa,
At P.O.Panaji.

2. Chief Postmaster General,
Maharashtra Circle,
Old G.P.O. Building,
Fort, Mumbai.

3. Senior Superintendent of
Post Offices, Sangli Division,
At P.O. Sangli.

....Respondents

By Advocate Shri S.S.Karkera
for Shri P.M.Pradhan

..2/-

Sign

O R D E R (ORAL)

{Per : Shri S.L.Jain, Member (J)}

This is an application under Section 19 of the Administrative Tribunals Act, 1985 for the declaration that nondrawal of increments intervening during the currency of punishment of 2 years (1.1.1992 to 31.12.1993) is illegal, arbitrary to that extent quash and set aside the revisional order dated 28.2.1997 with a direction to the respondents to release the said with-held increments along with consequential benefits such as arrears etc.

2. The learned counsel for the applicant has drawn our attention to OA. Para 4.3. (v) and stated that the applicant is entitled to a salary of Rs.1900/-p.m. on 1.1.1994. The respondents have also placed on record 'R-3' by which it is stated that the salary at the rate of Rs.1900/-p.m. was drawn. The learned counsel for the applicant states that in fact the salary at the rate of Rs.1850/-p.m. was paid.

3. To resolve the controversy, the learned counsel for the applicant suggested that the respondents be directed to show to the applicant the Service Record by which salary at the rate of Rs.1900/-p.m. was drawn and paid to the applicant. The learned counsel for the respondents has no objection in this respect.

Regd

...3/-

4. In the result, OA. is disposed of with the finding that applicant is entitled to the salary at the rate of Rs.1900/-p.m. w.e.f. 1.1.1994, the respondents to satisfy the applicant by showing the record that at the same rate the salary has been paid. If not paid, the respondents shall take steps for payment of the same and pay the same within one month from the date of receipt of the copy of the order.

5. In the result, OA. stands disposed of. No order as to costs.

Shanta f-
(SMT. SHANTA SHASTRY)

MEMBER (A)

S.L. Jain
(S.L. JAIN)

MEMBER (J)

mrj.

27/3/92
Order/Judgment dispatched
to Applicant/Respondent (s)
on 19/4/92

M