

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1001/92

Date of Order: 16.11.1992

BETWEEN:

K.Vittal Kulkarni

.. Applicant.

A N D

1. Union of India, rep. by its  
Secretary, Ministry of Defence,  
New Delhi.
2. The Scientific Adviser to the  
Minister of Defence, Director  
General Research & Development,  
Dte., of Personnel, DHQ PO  
New Delhi - 110 011.
3. The Director,  
Defence Metallurgical Research Lab.,  
PO Kanchanbagh, Hyderabad - 500 258.

.. Respondents.

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Counsel for the Applicant

.. Mr.K.SudhakarReddy

Counsel for the Respondents

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CORAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER

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T.C.R.

Order of the Single Member Bench delivered  
Hon'ble Shri T.Chandrasekhara Reddy, Member(Judl.).

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This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to pay subsistence allowance to the applicant from 1.1.1986 on the basis of the revised pay scales together with arrears and to pass such other orders as may deem fit and proper in the circumstances of the case.

The facts giving rise to this OA in brief are as follows:

2. The applicant is an employee of the Defence Metallurgical Research Laboratory, Hyderabad. He was appointed as Labourer w.e.f. 3.11.1969. The respondents have kept the applicant under suspension w.e.f. 2.8.1976 as the departmental enquiry was pending against him. The departmental enquiry seems not to have been completed yet. The applicant is being paid subsistence allowance on the basis of the old pay scales. It is the case of the applicant that he is entitled for subsistence allowance on the basis of the scales from 1.1.1986 onwards together with <sup>The</sup> the present OA for relief as already indicated.

3. We have heard today Mr.K.Sudhakar Rao for the applicant and Mr.V.Kajeswara Rao for Mr. Standing Counsel for the respondents.

4. ~~42~~ O.A.921/92 which is identical to this OA had come up for admission hearing before Bench of this Tribunal on 22.10.1992. After the said OA.921/92 had been disposed of in the directions. So, it would be fit and proper to G A also with the same directions as given in O.A. ~~orders dated 22.10.1992.~~

T. C. R.

5. Hence we direct the respondents to pay subsistence allowance to the applicant on the basis of the revised pay scales w.e.f. 1.1.1986 after deducting the amount that had already been paid to the applicant towards subsistence allowance on the basis of old pay scales. The rate at which the subsistence allowance that has got to be paid in the revised pay scales will be at the same rate that has been paid in the old pay scales. (50% or 75% as the case may be). Three months time is given to the respondents to implement the orders passed in this OA. The OA is allowed accordingly leaving the parties to bear their own costs.

*T. Chandrasekhara Reddy*  
(T.CHANDKASEKHARA REDDY)  
Member (Judl.)

Dated: 16th November, 1992

(Dictated in Open Court)

*[Signature]*  
Deputy Registrar (J)

To

1. The Secretary, Union of India,  
Ministry of Defence, New Delhi.
2. The Scientific Adviser to the Minister of Defence,  
Director General Research & Development,  
Dte., of Personnel, DHQ PO, New Delhi-11.
3. The Director, Defence Metallurgical Research Lab.,  
PO Kanchanbagh, Hyderabad-258.
4. One copy to Mr. K. Sudhakar Reddy, Advocate, CAT. Hyd.
5. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
6. One spare copy.

pvm.

*[Handwritten signatures and marks at the bottom of the page]*

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:  
M(JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER(JUDL)

Dated: 16 - 11 - 1992

~~ORDER~~ JUDGMENT:

R.A. /C.A. /M.A.No

in

O.A.No. 1001/92

T.A.No.

(wp.No )

Admitted and interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No orders as to costs.

pvm

Central Administrative Tribunal  
DESPATCH  
26 NOV 1992  
HYDERABAD BENCH.