

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 1316/96.

Dt. of Decision : 13-11-96.

A.R.K. Rao

.. Applicant.

Vs

1. The Union of India, Rep. by its Secretary, Min. of Personnel, Dept. of Personnel & Training, Public Grievance & Pension, Lok Nayak Bhavan, New Delhi.
2. The Asst. Settlement Officer, Govt. of India, Min. of Home Affairs, Rehabilitation Division, Settlement Wing, Jaisalmer House, Narsingh Road, New Delhi-1.
3. The Commission of Customs & Central Excise, Custom House, Port Area, Visakhapatnam-35. .. Respondents.

Counsel for the Applicant : Mr. P.B. Vijaya Kumar

Counsel for the Respondents : Mr. K. Bhaskara Rao, Addl. CGSC.

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (AUDL.)

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ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.))

Heard Mr.P.B.Vijaya Kumar, learned counsel for the applicant and Mr.K.Bhaskara Rao, learned counsel for the respondents

2. The applicant in this OA while working as Veterinary Officer in Dandakaranya Project, Koraput, was declared surplus w.e.f., 1-1-86 in terms of the letter No. Project HQs 119/12/86/w.s. 9885 dated 16-09-86. He was later absorbed in the post of Examiner in the Customs House on 20-3-87. The applicant's grievance in this OA is that before he was absorbed in the customs House at Visakhapatnam he was getting non-practicing allowance while working as Veterinary Doctor in Dandakaranya Project. It is further stated that the non-practicing allowance was granted recently with retrospective effect and he got the arrears also. Hence, his fixation of pay as Examiner in the Customs House should include the non-practicing allowance also. He submitted number of representations in this connection to the above effect as can be seen from Annexure-1 to Annexure-4. It is stated that those representations are yet to be disposed of.

3. This OA is filed praying for a direction to the respondents to fix his pay by taking into account the non-practicing allowance w.e.f., 24-3-87, the date applicant was redeployed with R-3 with all consequential benefits with retrospective effect.

4. As the representations in this connection are pending, it is justifiable to give a direction to R-2 and R-3 to dispose of his representations in accordance with rules.

5. In the result, the OA is disposed of at the admission stage itself as under:-

R-2 and R-3 should dispose of the representations of the applicant annexed to this OA as Annexure-1 to Annexure-4 in accordance with rules expeditiously.

6. No costs.

(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)

(R.RANGARAJAN)
MEMBER (ADMN.)

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Dated : The 13th Nov. 1996.

D.R(T)