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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 30.7.94.

OA 339/94

LALOO RAM ... APPLICANT.

Vs.

UNION OF INDIA & ORS. ... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

For the Applicant ... SHRI J.K. KAUSHIK.

For the Respondents ... ---

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

Applicant Laloo Ram has filed this application u/s 19 of the Administrative Tribunals Act, 1985, seeking a direction to the respondents to increase his subsistence allowance from 50% to 75% as per Para-1342 of the Indian Railway Establishment Code, Vol.II.

3. I have heard the learned counsel for the applicant and have gone through the records.

3. The applicant was serving as a Peon in the office of the D.C. Pay & Cash Department, Western Railway at Jaipur when he was placed under suspension vide an order dated 8.2.94 (Annexure A-2). Thereafter, on 1.3.94 a charge-sheet was issued for major penalty under Rule-9 of the Railway Servants (Discipline & Appeal) Rules, 1968. It is contended by the applicant that the disciplinary proceedings against him are being unduly prolonged. However, the respondents did not review the grant of subsistence allowance after three months in terms of the provisions contained in Para-1342 of the Indian Railway Establishment Code, Volume-II. The applicant submitted representations to the concerned authorities vide Annexure A-5 dated 1.6.94 and Annexure A-6 dated 13.7.94 but these representations evoked no response. The learned counsel for the applicant, instead of pressing this application on merits, wants that the representations already made by the applicant in regard to his grievance should be decided as per rules.

4. This OA is, therefore, disposed of at the admission stage with a direction to the respondents to decide the representations made by the applicant vide Annexure A-5 dated 1.6.94 and Annexure A-6 dated 13.7.94 in accordance with rules within a month of the receipt of a copy of this order.

*Gopalkrishna*

( GOPAL KRISHNA )  
MEMBER (J)