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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.241/95

Date of order: 20.9.1996

R.S.Meena - I

: Applicant

Vs.

Union of India & Ors.

: Respondents

Mr C.B.Sharma

: Counsel for applicant

Mr.V.S.Gurjar

: Brief-holder of Shri R.P.Meena,

: counsel for respondents

CORAM:

Hon'ble Mr.O.P.Sharma, Administrative Member

Hon'ble Mr.Patan Prakash, Judicial Member

¶ PER HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER.

In this application under Sec.19 of the Administrative Tribunals Act, 1985, applicant Shri R.S.Meena- I has sought a direction to the respondents to complete the service record of the applicant after 1985 as per the duty cast on them under the Fundamental Rules. As a result of the omission of the respondents to complete the service record, the applicant is being deprived of his due increment, pay for the leave periods, promotion, etc, causing financial loss to the applicant.

2. We have heard the learned counsel for the applicant and Shri V.S.Gurjar, brief-holder of Shri R.P.Meena, counsel for respondents.

3. In their reply the respondents have stated that disciplinary proceedings against the applicant are pending on account of his absence from duty from 11.10.85 to 29.3.87. Since the leave case of the applicant for the above mentioned period has not been decided, the entries in the Service Book for the aforesaid period cannot be made. Also since the applicant's leave case for the aforesaid period has not yet been decided, pay and allowances for the aforesaid period have also not paid to him. According to them, a decision on the charge sheet issued to the applicant is expected shortly and

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thereafter necessary action would be taken by the respondents. The matter regarding increments, promotion, etc, will be decided after the disciplinary proceedings are concluded and leave is sanctioned for the period mentioned above.

4. The learned counsel for the applicant has brought to our notice an order dated 28.2.96 passed by the respondents with regard to the disciplinary proceedings initiated against the applicant vide charge sheet dated 28.3.87 due to which the completion of the applicant's Service Book was kept pending. The disciplinary proceedings have now been concluded by the aforesaid order dated 28.2.96. At this stage the learned counsel for the applicant seeks only a direction to the respondents that they should complete the service record of the applicant so that whatever dues including increments, pay and allowances, promotions, etc, are to be given to him, may be given to him, as per rules.

5. In the circumstances, we direct the respondents to complete the service book/service record of the applicant within a period of 3 months from the date of receipt of a copy of this order. The O.A is disposed of accordingly with no order as to costs. However, the applicant shall be free to file a fresh O.A, if his grievance or part thereof still survives.



(Ratan Prakash)

Judicial Member.



(O.P. Sharma)

Administrative Member.