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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL JAIPUR BENCH: JAIPUR.

O.A. No.216/1997

Date of order: 11.3.1998

1. B.L.Meena S/o Shri Ram Patan Meena, aged about 39 years, presently working as Law Assistant, DRM Office, Western Railway, Jaipur.
2. K.C. Meena S/o Shri Nejuram Meena, aged about 35 years, presently working as Chief Law Assistant, DRM Office, W. Rly, Jaipur.
3. Shri M.K. Rawat, S/o Shri R.S. Rawat, aged about 35 years, presently working as Senior Clerk, DRM Office, W. Rly, Jaipur.

: Applicants

Versus

1. Union of India through the General Manager, Western Railway, Churchgate, Mumbai.
2. Divisional Railway Manager, Western Railway, Jaipur.
3. Sr. Divisional Accounts Officer, DRM Office, Western Railway, Jaipur.
4. Shri Vasudeo Sharma, Assistant Divisional Accounts Officer, Western Railway, Jaipur.
5. Shri A.S. Tiwari, Chief Clerk, Bill Section, DRM Office, W. Railway, Jaipur.
6. Shri Saitan Singh Palawat, Section Officer, at present working at DAO Office, Mumbai Central, W. Rly.

: Respondents

Mr. Shiv Kumar, counsel for the applicants
Mr. K.S. Sharma, counsel for the respondents

CORAM:

HON'BLE SHRI RATAN PRAKASH, MEMBER (JUDICIAL)

O R D E R

(PER HON'BLE SHRI RATAN PRAKASH, MEMBER (JUDICIAL))

S/Shri B.L.Meena, K.C. Meena and M.K. Rawat have approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985, to seek a direction against the respondents to calculate the contingent allowances as per the instructions dated 21.4.1993 (Annx.A-2) and to pay this allowance w.e.f. July 1996 onwards with a further prayer to direct the respondents to pay them the

contingent allowances on the basis of new rates as revised by the Director of Transport Department in accordance with Para 1641 of Indian Railway Establishment Code.

2. The respondents have put in their appearance and the learned counsel for the respondents states at Bar that the applicants have been paid contingent allowance on 4.6.1997 as per prevailing rate for the period claimed by the applicants. which has been admitted by the learned counsel for the applicants also.

3. Therefore, the only dispute ^{that} remains in this OA now is about the payment of future contingent allowance as per the revised rates issued by the Transport Department of the State. The applicants in the OA have not indicated as to what is the revised rate which has been fixed by the Transport Department of the State of Rajasthan. Hence, in the absence of the particulars the second part of the relief claimed in the OA cannot be granted now.

4. The O.A. stands disposed of accordingly with no order as to costs. However, the applicants would be at liberty to approach the appropriate authority to obtain contingent allowance at the revised rates, if any, fixed by the Transport Department of the State by filing a detailed representation within a period of one month which would be decided by the respondents within a period of three months from the date of filing of the representation by the applicants.


(RATAN PRAKASH)
JUDICIAL MEMBER