

IN THE CENTRAL ADMTNISTRATIVE TRIBUNAL, JATPUR BENCH, JATPUR.

DATE OF ORDER: 28.5.2002

OA No. 93/2001 with MA 42/2002

Laxman Singh Asnani son of Shri Gokuldas Asnani Kota, Retd. SSO Office of the SSS, Ajmer resident of House No. 466-A/33 Gulab Shah Ka Takia, Topdhara, Ajmer.

....Applicant.

VERSUS

1. Union of India through Secretary Bharat Sanchar Nigam Ltd., Sanchar Bhawan, New Delhi.
2. The Chief General Manager, Bharat Sanchar Nigam Ltd., Rajasthan Circle, Jaipur.
3. The General Manager, Bharat Sanchar Nigam Ltd., Civil Lines, Ajmer.

....Respondents.

Mr. S.R. Chaurasia, Counsel for the applicant.

Mr. B.N. Sandu, Counsel for the respondents.

CORAM

Hon'ble Mr. A.P. Nagrath, Member (Administrative)

Hon'ble Mr. J.K. Kaushik, Member (Judicial)

ORDER

PER HON'BLE MR. A.P. NAGRATH, MEMBER (ADMINISTRATIVE)

This OA has been filed by the applicant claiming pay & allowances w.e.f. 1.7.02 to the date of his retirement. His further prayer is that he may be granted all consequential benefits including enhanced gratuity and retiral dues.



2. It is the common case of the parties that the applicant was granted promotion to the Grade IV w.e.f. 1.7.92 vide order dated 23.2000 alongwith others. The said order was challenged before the Jodhpur Bench of the Tribunal in OA No. 9/2001, K.L. Khandia vs. Union of India & Others. The said OA has been finally disposed of on 19.1.2001 and this order dated 1.7.92 has already been made effective in respect of various affected parties. It is conceded by the learned counsel for the respondents that there is no dispute as far as entitlement of pay & allowances of the applicant w.e.f. 1.7.92 is concerned, the only delay in the department is because of procedural part.

3. In view of the clear position, which has emerged in this OA, it is not in doubt that the applicant is entitled to pay & allowances of post Grade IV w.e.f. 1.7.92 till the date of his retirement. The respondents shall make payment of such pay & allowances to the applicant within three months from the date of receipt of certified copy of this order. The respondents shall also work out the revised retiral dues and gratuity payable to the applicant; and pay the difference within the same period. For any delay beyond three months, applicant shall be entitled to interest @ 9% per annum. No costs.

4. In MA No. 42/2001, the plea made by the respondents is not accepted as we have finally decided the OA.

J.K. KAUSHIK
(J.K. KAUSHIK)

MEMBER (J)

A.P. NAGRATH
(A.P. NAGRATH)

MEMBER (A)

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