

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH : GUWAHATI-5

Original Application No. 121 of 1998

Date of decision 27.11.98

Sri M.M.Beg & Ors.

PETITIONER(S)

Mr. A. Ahmed

ADVOCATE FOR THE  
PETITIONER(S)

VERSUS

Union of India & Ors.

RESPONDENT(S)

Mr. S. Ali, Sr. C.G.S.C.

ADVOCATE FOR THE  
RESPONDENT(S)

THE HON'BLE MR. JUSTICE D.N. BARUAH, VICE-CHAIRMAN.

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether the Judgement is to be circulated to the other Benches?

Judgement delivered by Hon'ble Vice-Chairman.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Original Application No. 121 of 1998.

Date of decision : This the 27th day of November, 1998.

Hon'ble Mr. Justice D.N. Baruah, Vice-Chairman.

MES 467160 Shri M.M. Beg & Ors.,  
B.S.O., serving in the  
office of the Garrison Engineer,  
868 EWS, C/o 99 APO

..Applicant

By Advocate Mr. A. Ahmed.

-versus-

1. Union of India,  
represented by the Secretary of Defence,  
Government of India,  
New Delhi.

2. The Garrison Engineer,  
868 EWS, C/o 99 APO.

3. Headquarter, 137 C.W.S.E.  
C/o 99 A.P.O.

4. Garrison Engineer, 869 E.W.S.  
C/o 99 A.P.O.

....Respondents

By Advocate Mr. S. Ali, C.G.S.C.

O R D E R

BARUAH, J. (V.C.)

In this application the applicants have claimed Field Service Concession. According to the applicants they are entitled to such concession. The facts are :

The present applicants are working in the North Eastern Region in different capacities as Central Government Defence Civilian Employees under the Ministry of Defence. As per Annexure-1 Office Memorandum dt. 31.1.95 the

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the applicants are entitled to the Field Service Concession. The benefit of such concession having been denied to the applicants, they have filed Annexure-3 representation in the month of February, 1998 before the authorities i.e. Respondent No.3. The Respondent No.3 has not yet disposed of the said representation. Hence the present application.

2. The respondents have filed written statement. Heard Mr A. Ahmed, learned counsel appearing on behalf of the applicants and Mr S. Ali, learned Sr. C.G.S.C. Mr Ahmed submits that the applicants are entitled to the Field Service Concessions with effect from 1.4.1993. Mr Ali on the other hand has drawn my attention to paragraphs 2 and 3 of the written statement. In the said paragraphs of the written statement it is stated as follows:

"2. That the applicants have been paid the Field Service Concessions (F.S.C.) as per Govt. of India, Min of Defence office Memorandum No.4(3)/98/D(Civ-I) dt. 16 Mar 98 from the date of posting of the applicants to N.E. Region. Annexure 'A' is the photo copy of Govt. of India, Min of Def Memorandum No.4(3)/98/D(Civ-I) dt. 16 March 98.

"3. That the applicants filed the present OA 121/98 praying for FSC. Ant he FSC as prayed for have already been paid regularly till today, the present application has been infructuous and as such the same is liable to be dismissed."

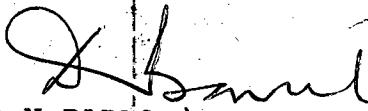
3. Mr Ali, Sr. C.G.S.C. submits that in fact the applicants have been paid Field Service Concessions, therefore the application is not maintainable and should be dismissed in limine. Mr Ahmed does not agree with the

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submission of Mr. Ali.

4. On consideration of the submissions of the counsel for the parties I dispose of this application as infructuous as stated in the written statement. No order as to costs. However, if it transpires later on that the applicants have not been given the benefit of Field Service concession they may approach this Tribunal.

  
(D.N.BARUAH)  
Vice-Chairman

trd