

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. NO. 153 of 1998.

DATE OF DECISION..... 7-5-1999.

MES 467160 Sri M.M.Beg & 11 others.

(PETITIONER(S)

Sri A. Ahmed.

ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

Union of India & Ors.

RESPONDENT(S)

Sri A.Deb Roy, Sr.C.G.S.C.

ADVOCATE FOR THE
RESPONDENTS.

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

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

Judgment delivered by Hon'ble Vice-Chairman.



X

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No.153 of 1998.

Date of Order : This the 7th Day of May, 1999.

Justice Sri D.N.Baruah, Vice-Chairman.

MES 467160 Sri M.M.Beg & 11 others. . . . Applicants.

By Advocate Sri A.Ahmed.

- Versus -

1. Union of India
represented by the Secretary
to the Govt. of India,
Ministry of Defence,
New Delhi.
2. Head Quarter 137 C.W.E.,
C/o 99 APO.
3. The Garrison Engineer,
868 EWS, C/o 99 APO. . . . Respondents.

By Advocate Sri A.Deb Roy, Sr.C.G.S.C.

O R D E R

BARUAH J.(V.C)

This application has been filed praying for a direction to the respondents to grant Special Duty Allowance to the applicants. The respondents have entered appearance and filed written statement. In paragraphs 2 and 3 of the written statement the respondents have stated as under :

"(2) That the applicants have been paid the Special duty allowance (SDA) as per Govt. of India, Min of Defence Office Memorandum No.4(3)/98/D(Civ-I) dt. 16 Mar 98 from the date posting of the applicants to N.E.Region. Annexure 'A' is the photo copy of Govt. of India, Min of Defence Memorandum No. 4(3)/98/D(Civ-I) dt 16 Mar 98."

"(3) That the applicants filed the present OA 153/98 praying for SDA. And the SDA 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."

2. Heard Mr A.Ahmed, learned counsel appearing on behalf of the applicants and Mr A.Deb Roy, learned Sr. C.G.S.C for the respondents. Mr Ahmed submits that he has no instructions. In view of the categorical statements made in paragraphs 2 and 3 of the written statement and the submission made by Mr Deb Roy, I dispose of this application as infructuous. However, if on a later date it transpires that the statements made by the respondents are not correct then the applicants may approach this Tribunal again.

Application is disposed of as infructuous. Considering the entire facts and circumstances of the case however, I make no order as to costs.



(D.N.BARUAH)
VICE CHAIRMAN