

CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JABALPUR

O.A. No. 99 of 2006

Jabalpur, this the 27th day of February, 2006

Hon'ble Shri Justice G. Sivarajan, Vice Chairman

Madanpal Bhalla, aged 62 years,
S/o. late Shri Attar Chand Bhalla,
Ex. Machinist/Master Craftsman,
Ex IAG/29/52174, Resident of
House No. 1408/32, Raksha Karmi
Colony, Part No. 2, Opposite Mastana
Hotel Ranjhi, Tehsil and District -
Jabalpur (MP).

..... Applicant

(By Advocate - None)

VERSUS

1. Union of India, through the
Secretary, Govt. of India,
Ministry of Defence,
Ordinance Factories, New Delhi.

2. The Chairman, Ordinance
Factories Board, Calcutta.

3. The General Manager,
Ordinance Factory, Khamariya,
District - Jabalpur (MP).

..... Respondents

ORDER (Oral)

Neither the counsel for the applicant nor the applicant is present both in the morning and in the afternoon today when the case was called. The Bar Association had sent a copy of a resolution in which it is stated that the Advocates are not appearing in Courts today also due to boycott of Court. This was the position during the entire last week and this Bench has been accommodating the Bar to the maximum possible. In some of the cases the applicants themselves have appeared where they had engaged counsel and requested for taking up the cases for argument. Somehow those cases were not taken during the last week. If this position is continued during this week also particularly when camp

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sittings are arranged for two weeks, I am of the definite view that public interest would suffer.

2. In these circumstances, it will only be proper to dispose of at least a few cases. Accordingly, this case is being taken up for disposal.

3. The matter comes up for admission.

4. The applicant was initially appointed as a Labour under the third respondent on 14.6.1960. He had retired from service under the respondents on 31.1.2004 while holding the post of Machinist/Master Craftsman. It is his case that the pay of the applicant was re-fixed at Rs. 5,000/- in the pay scale of Rs. 4,500-125-7,000/- as per order dated 19.5.2004 (Annexure A-3). The grievance of the applicant is that ignoring the said re-fixation of pay, for the purpose of pensionary benefits, the pay drawn by the applicant at the time of retirement, was taken at Rs. 4,800/- only. It is his further grievance that in spite of several representations from 8.12.2004 including the lawyer's notice dated 9.1.2006 (Annexure A-6) requesting for re-fixation of his pensionary benefits based on the last pay of Rs. 5,000/- drawn by him and for consequential reliefs, there is no response from the respondents. Since the applicant has stated that he had made representations since 8.12.2004 including lawyer's notice dated 9.1.2006 and since, according to him, the said representations have not been considered till date, I am of the view that, in order to obviate further delay in the matter, this application can be disposed of at the admission stage itself with directions. Accordingly, there will be a direction to the third respondent to dispose of the representations including the lawyer's notice dated 9.1.2006 (Annexure A-6) with reference to the annexures in this application, particularly Annexure A-3, by a reasoned and detailed order within a period of two months from the date of receipt of this order and communicate the order to the applicant immediately thereafter.

5. OA is disposed of as above, at the admission stage itself. I make it clear that I have not considered the merits of the matter in this OA. The



applicant will produce this order along with a copy of the OA and its annexures before the third respondent for compliance.

(G. Sivarajan)
Vice Chairman

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पृष्ठान्कन सं ओ/न्या.....जबलपुर, दि.....
समिति/विधि का नोटिफिकेशन:-

- (1) सचिव, उच्च न्यायालय कायदा एवं प्रशासन, जबलपुर
- (2) आदेशक ओ/न्या.....के काउंसल
- (3) प्रत्यक्षी श्री/श्री.....के काउंसल
- (4) संयोजक, एडवोकेट, जबलपुर - सचिव
सूचना एवं आवश्यक कार्रवाई हेतु

उप सचिव

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