

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR
BENCH, JABALPUR

Original Application No. 205 of 2006

Jabalpur, this the 10th day of April, 2006

Hon'ble Shri Justice M.A. Khan, Vice Chairman

Brijwasi Patel, S/o. Shri Chhotelal Patel,
Aged about 60 years, R/o. 885/72,
Chandmari, Talaiya, Lalmati, Ghamapur,
Jabalpur (MP).

..... **Applicant**

(By Advocate – Shri V. Tripathi)

V e r s u s

1. The Union of India, through its
Secretary, Ministry of Defence,
Defence Production, New Delhi.

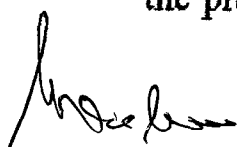
2. Chairman – Director General,
Ordnance Factory Board,
10-A Shaheed S.K. Bose Marg,
Kolkata.

3. General Manager,
Vehicle Factory, Jabalpur.

..... **Respondents**

ORDER (Oral)

The applicant is aggrieved by the order of the respondents in treating the period from 10.10.1994 to 31.07.2002 as dies non as not spent on duty, whereas in an identical matter in the case of Shri S.K. Sharma after the Tribunal's order a show cause notice was served and the similar period was treated as period under suspension and 50% of the salary has been paid to him. He has requested that similar treatment be given to him also. It is also submitted that the representation dated 16.11.2005 (Annexure A-7) was sent to the respondents but it has not been decided as yet. He has requested that the present OA may be disposed of with direction to the respondents



to decide the aforesaid representation of the applicant at an earlier date.

2. Accordingly, I am inclined to accede to this request. As the respondents will not be prejudiced in any way, I need not call upon them to file the counter reply by issuing a formal notice.

3. Accordingly, the present OA is disposed of with a direction to the respondents to consider the applicants' representation dated 16.11.2005 (Annexure A-7) and decide it by a speaking order within a period of two months from the date of receipt of copy of this order and the said representation by them. The learned counsel for the applicant has undertaken to serve a copy of the said representation alongwith the copy of the present order on the respondent authorities within 7 days.

4. The OA is disposed of in terms of the above order. It will be open to the applicant to approach the Tribunal again in accordance with law, if necessary, after the respondents have decided the said representation.

(M.A. Khan)
Vice Chairman

"SA"

पृष्ठंकन सं ओ/न्या.....जबलपुर, दि.....

पुनिलिपि अवेधित:-

(1) सचिव, उच्च न्यायालय द्वार एसोसिएशन, जबलपुर

(2) आवेदक श्री/श्रीमती/कु.....के काउंसल

(3) प्रत्यक्षी श्री/श्रीमती/कु.....के काउंसल

(4) अध्यक्ष, के.प्र.अ., जबलपुर न्यायाधीश

सबना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार

Shri V. Tripathi M.EJM

Filed
13.11.06

13/11/06