

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
CIRCUIT CAMP : INDORE

Original Application No. 376/2006

Indore, this the 12th day of July, 2006

Hon'ble Dr.G.C.Srivastava, Vice Chairman
Hon'ble Mr.A.K.Gaur, Judicial Member

Lajpatrai Arora S/o late Shri Amirchand
Arora, aged 65 years, Divisional Accounts
Officer, Grade I, (Retired), r/o 72,
Padmavati Colony, Indore (M.P.) 452018

APPLICANT

(By Advocate - Shri D.M.Kulkarni)

Versus

1. Union of India throgh Comptroller & Auditor General of India, 10. Bahadur Shah Jafar Marg, New Delhi.
2. Pricipal Accountant General (A&E)-I 53, Arera Hills, Hoshangabad Road, Bhopal.
3. Accountant General, (A&E)-1, Lekha Bhawan, Jhansi Road, Gwalior

RESPONDENTS

ORDER (Oral)

By A.K.Gaur, Judicial Member -

Heard counsel for the applicant.

2. By means of this Original Application, the applicant has sought the followin reliefs :-

"8.1 The charge sheet dated 19.11.1998, Annexure-A-1 be and inquiry report dated 18.7.2003, Annexure-A-2 be quashed and the Respondents be directed to pay all the consequential benefits as stated in paragraph 4 above with retrospective effect.

8.2 It be further held that the impugned orders dated 4.3.2003, Annexure A-3 & order dated 12.9.2001, Annexure-A-4 are ab initio void and be set aside.

8.3 It be declared that the applicant is entitled to higher pay scale 7450-225-11500 w.e.f. 1.1.1996 and his pay be fixed at Rs.9,475 w.e.f. 1.1.1996 The Respondents be directed to pay the difference of salary with interest at current market rate.

8.4. The respondents be directed to regularise the period between 23.6.1998 to 20.10.1998 and salary for the same be paid to the applicant with interest.

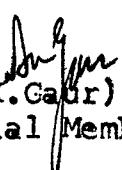
8.5. The respondents be directed to sanction Rs.100/- per month towards medical allowance w.e.f. 1.9.2001 and the same be paid to the applicant with interest at current market rate.

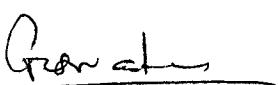
8.t. The amount of GPF Rs.23,324/- paid less to the applicant be directed to be paid with interest."

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3. The applicant has sought direction to quash the charge sheet dated 19.11.98 (Annexure-A-1) and the enquiry report dated 18.7.2003 (Annexure-A-2) in the year 2006 without giving application for condonation of delay supported by an affidavit. In view of the decision of Hon'ble Supreme Court in the case of R.C. Sharma Vs. Udhamp Singh Kamal reported in 2000 SCC (L&S) page 53, the merit^{be} of the case should not be looked into without condoning the delay. Since there is no application for condonation of delay supported by an affidavit, We are not inclined to condone the delay. However, we direct the respondents to complete the enquiry expeditiously, preferably within 6 months from the date of receipt of a copy of this order.

4. In view of the above observation, the OA is dismissed at the admission stage itself. However, the applicant is granted liberty to file a fresh OA for redressal of his grievances, if he still feels aggrieved.


(A.K. Gaur)
Judicial Member


(Dr. G.C. Srivastava)
Vice Chairman

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