

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

OA No. 875/04

Bilaspur, this the 16th day of March, 2005

CORAM

Hon'ble Mr.M.P.Singh, Vice Chairman

Hon'ble Mr.Madan Mohan, Judicial Member

Gyan Prakash
S/o Late B.L.Khare
R/o Plot No.68, Ashok Nagar
Adhartal
Jabalpur – 482 004.

Applicant

(Applicant in person)

Versus

1. Union of India represented by
The Secretary
Ministry of Defence
South block
New Delhi.
2. The General Manager
Ordnance Factory Project Medak
Yeddumailaram – 502 205 (A.P.)

Respondents.

(By advocate Shri S.P.Singh)

ORDER

By Madan Mohan, Judicial Member

By filing this OA, the applicant has sought the following relief:

- (i) To adjudicate this civil suit for award of certified copy of service book and authority of authenticating officers of service record under Govt. of India Business Allocation Rule, and consequential damage of Rs.1 lakh including the expenditure incurred for journey to and fro to respondents and cost of the proceedings, irreparable loss of the applicant's bio-medical research.




2. The brief facts of the case are that the applicant joined the service under the Indian Ordnance Factories in March 1966. The applicant has not been provided with any order of retirement. He requested the respondents to provide a certified copy of service book under Supplementary Rule No.198. The respondents issued the impugned order and acknowledged the fee paid by him. On scrutiny of the Xerox copy of the service book it is observed that it is not certified as required under FR 198 and important pages of the service record are not provided to him. The respondents have suppressed certain record of service with malafide intention and there is a conspiracy behind it. Every document on behalf of Union of India including the reply in court is to be signed and authenticated by the authority specified under Govt. of India Business Allocation Rules. Hence this OA is filed.

3. Heard the applicant in person and the learned counsel for the respondents.

4. Before starting the argument, the learned counsel for the respondents has furnished a certified copy to the applicant.

5. In reply, the learned counsel for the respondents argued that the order of compulsory retirement imposed on the applicant was forwarded to his recorded address at Ordnance Factory Estate where he was residing and also to the permanent address at Jabalpur and the same has been acknowledged by the applicant. If he has not been provided, it is not understood, how he has signed and completed the formalities regarding his terminal benefits. The applicant has not raised the point regarding the certification of the service book or about non providing of the important pages of the service book and even without any representation or exhausting the departmental remedy available, he has approached this Tribunal.



6. As the certified copy of the service record is provided to the applicant by the respondents at the time of the arguments, this OA has become infructuous. Hence this OA is dismissed as infructuous. No costs .

(Madan Mohan)
Judicial Member

(M.P.Singh)
Vice Chairman

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

पतिलिपि जमा की गई:-

- (1) सचिव, उच्च न्यायालय, जबलपुर
- (2) आवेदक श्री/श्री/श्री/.....के काउंसल
- (3) प्रत्यक्ष श्री/श्री/श्री/.....के काउंसल
- (4) बंधपाल, कोषा, जबलपुर न्यायालय

सूचना एवं आवश्यक कार्यवाही हेतु

[Signature]
उप-सचिव

28/3/05

Issued
On 23.03.05
BS