

(B)

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDER SHEET

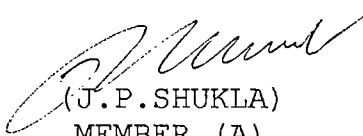
ORDERS OF THE TRIBUNAL


18.3.2008

OA 84/2008

Mr.P.N.Jatti, counsel for applicant.

Heard learned counsel for the applicant.
The OA stands disposed of, at admission stage, by
a separate order.


(J.P.SHUKLA)
MEMBER (A)


(M.L.CHAUHAN)
MEMBER (J)

vk

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 18th day of March, 2008

ORIGINAL APPLICATION NO.84/2008

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER
HON'BLE MR.J.P.SHUKLA, ADMINISITRATIVE MEMBER

H.C.Bhardwaj,
S/o Shri S.M.Sharma,
R/o D-835, Malviya Nagar,
Jaipur.

... Applicant

(By Advocate : Shri P.N.Jatti)

Versus

1. Union of India through
Secretary to the Govt.,
Department of MSME (DC),
Ministry of Micro Small Medium Enterprises,
Udyog Bhawan,
New Delhi.
2. Development Commissioner (MSME),
O/o Div.Commissioner (MSME),
7th Floor, Nirman Bhawan,
New Delhi.

... Respondents

(By Advocate : - - -)

ORDER (ORAL)

PER HON'BLE MR.M.L.CHAUHAN

The applicant has filed this OA thereby praying
for the following relief :

"That by a suitable writ/order or direction the
respondents be directed to the sum of Rs.78336/-
(Seventy eight thousand three hundred thirty six
only) as money to the Group Insurance with a

justified interest as the money has been delayed for a period of more than five months. The respondents be directed to pay the interest till the date of payment of the money."

2. In sum and substance grievance of the applicant is that although the DD of Rs.78336/- on account of payment pertaining to Group Insurance was prepared but the said DD has not been handed over to the applicant by the Cashier on the ground that a sum of Rs.2518/- is lying with the applicant and the same has not been accounted for.

3. The applicant has also made a representation dated 28.1.2008 (Ann.A/1) in this respect to the Development Commissioner (Respondent No.2), which has not been decided so far.

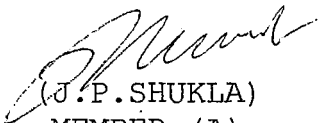
4. We are of the view that this matter can be disposed of at admission stage itself if a direction is given to respondent No.2 to decide the representation (Ann.A/1) of the applicant by passing a reasoned and speaking order within a period of one month from the date of receipt of a copy of this order. Ordered accordingly.


5. It will not be out of place to mention here that it was not permissible for the respondents to withhold the entire amount of Group Insurance of the applicant, even if a sum of Rs.2518/- was to be recovered from the applicant. In that eventuality, it was permissible for the respondents to release the balance amount and not to withhold the entire amount, as contended by the applicant. Be that as it may, since we are not deciding this OA on merit and only a direction has been given to respondent No.2 to decide the representation of the applicant (Ann.A/1), respondent No.2 shall look into this aspect of the matter also.

6. With these observations the OA stands disposed of. In case the applicant still feels aggrieved, it

W

will be open for him to file a substantive OA. No order as to costs.


(J.P. SHUKLA)
MEMBER (A)


(M.L. CHAUDHAN)
MEMBER (J)

vk