

6

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

21.09.2011

OA No. 331/2011

Mr. Ashok Joshi, counsel for applicant.

On account of sad demise of Shri P.V. Calla, learned counsel for the applicant, now Shri Ashok Joshi, advocate, put in appearance on behalf of the applicant and submits that he has filed Vakalatnama.

Heard Shri Ashok Joshi, learned counsel for the applicant.

The O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.

Anil Kumar

(ANIL KUMAR)
MEMBER (A)

K.S. Rathore

(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

[Signature]

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 331/2011

DATE OF ORDER: 21.09.2011

CORAM

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

J.C. Kumar S/o Shri T.R. Kumar, aged about 59½ years, presently posted as Senior Section Engineer, O/o Sr. D.S.T.E., N.W.R., Jaipur, R/o B-48, Govindpuri, Ram Nagar Extension, Sodala, Jaipur.

...Applicant

Mr. Ashok Joshi, counsel for applicant.

VERSUS

1. Union of India through General Manager, North-Western Railway, Headquarter Office, Jaipur.
2. The Divisional Rail Manager (Estt.), N.W.R., Jaipur.
3. The Senior Divisional Signal & Telecom Engineer (E), N.W.R., Jaipur.

...Respondents

ORDER (ORAL)


The only controversy remains that actual monetary benefit has not been paid to the applicant though the notional benefit has already been extended in favour of the applicant vide order dated 03.02.2010 (Annex. A/1).

2. Although, the notional benefit has been provided to the applicant vide order dated 03.02.2010 (Annex. A/1), but actual monetary benefit has not been provided to him, therefore, the applicant has served a legal notice for demand of justice dated 19.04.2011 (Annex. A/7) through his counsel, but it appears that the same is pending with the respondent-department for consideration.



3. Therefore, we deem it proper to direct the respondents to consider the legal notice dated 19.04.2011 (Annex. A/7) and pass a reasoned and speaking order whether the actual monetary benefit is payable to the applicant in accordance with the provisions of law or not. It is expected from the respondents to decide the said legal notice expeditiously but in any case not later than three months from the date of receipt of a copy of this order. The applicant is given liberty to redress his grievance by filing substantive Original Application, if any adverse order is passed against his interest.

4. With these observations and directions, the present Original Application stands disposed of with no order as to costs.


(ANIL KUMAR)
MEMBER (A)


(JUSTICE K.S. RATHORE)
MEMBER (J)