

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI..5

ORIGINAL APPLICATION NO: 66/94

MISC. PETITION/ REVIEW APPLICATION/CONT. PETITION NO.

.....*Sri J. Saikia*..... APPLICANT(S)
versus
.....*Mr. B. K. Sharma, Mr. B. Mehta*..... RESPONDENT(S)
.....
.....
.....*C. G. Se*..... RESPONDENT(S)

OFFICE NOTE

DATE

COURT'S ORDER

This application is in
form and within time.
C. F. of Rs. 50/-
deposited vide
IPO/ED No. *86/163*
Dated *1/3*.....

[Signature]
By Registrar (d)
29/3

5-4-94

Heard learned counsel Mr. B. K. Sharma on behalf of applicant Shri Jogeswar Saikia. Perused the statements of grievances and relief sought for in this application. Also heard Sr. C.G.S.C. Mr. S. Ali. Issue notice on the respondents under registered post and show cause as to why this application should not be admitted for scrutiny and grant of relief in conformity with Judgment in O.A.No. 47(C) of 1989 (Abdul M. Sirkar Vs. U.O.I & Ors) dated 31-8-

List on 12-5-94 for show cause

[Signature]
Vice-Chairman

[Signature]
Member

lm

Requisites are received on 6/4/94 & sent no. 1403-05 dt. 8-4-94

Copy has already been sent on 5-4-94 to Mr. S. Ali, Sr. CGSC for the Record. No. 2

11-5-94

Show cause has not been filed.

✓
 Notice duly sent on
 Respt. no. 223
 by
 24/5

12.5.94

Learned counsel Mr B.K. Sharma for the applicant is present. Learned Sr. C.G.S.C. Mr S. Ali could not come due to personal difficulty.

Adjourned. List on 17.5.94 for consideration for admission in presence of the counsel for the parties.

Vice-Chairman

Member

nkm

17.5.94.

Counsel of the parties submit to list this case for consideration of admission on 24.5.94.

List on 24.5.94 for consideration of admission.

Also place record of O.A.4789.

Vice-Chairman

Member

acs

18.5.94
 Notice duly sent on
 Respt. no. 2
 by
 18/5

17/5

OFFICE NOTE

DATE

COURT'S ORDER

24.5.94

Notice of motion was issued on 5.4.94. Sr. C.G.S.C. Mr S. Ali submitted that no instruction has been received by him and therefore, show cause has not been submitted. Learned counsel Mr B.K. Sharma submits for disposal of the case stating that the case is covered vide previous judgment dated 31.8.90 passed in O.A.No.47(G).

List on 1.6.1994 for consideration and disposal.

Mr B.K. Sharma is allowed to amend prayer portion of the application as prayed for.

Chagn
Vice-Chairman

bo
Member

pg

1.6.94

It is an application under Section 19 of the Administrative Tribunals Act 1985 by Shri Jogeswar Saikia claiming Special Duty Allowance and Deputation Allowance. The applicant is serving as Special UB Constable in FRR Office, Mangaldoi.

This application is taken up for hearing and disposal at the admission stage. Heard learned counsel Mr B.K. Sharma on behalf of the applicant. Perused the statement of grievances and reliefs sought for in this application. Also heard learned Sr. C.G.S.C. Mr S. Ali.

The applicant was a Police Personnel (Fireman) of SFSO, Assam. He was transferred and posted in the establishment of FRR, Mangaldoi as UB vide order under Memo No.FB/101/86/90 dated 14.8.1987 issued by the DIG of Police(A), Assam.

OFFICE NOTE

DATE

COURT'S ORDER

1.6.94

The Deputy Inspector General Police.(Assam) vide order in letter No.FA.VII-1/85/PT.-1/189 dated, Guwahati the 8.12.1992 recommended grant of SDA and deputation allowance to the applicant pursuant to our previous judgment dated 31.8.1990 in O.A.No.47/89.

In view of the above facts and circumstances we hold that the applicant is entitled to deputation and SDA allowance since he joined service in FRRO on deputation and till he serves there as such.

This application under Section of the Administrative Tribunals Act, 1985 is allowed. We direct the respondents to pay SDA and deputation allowance since he is serving in FRRO, Mangaldoi as admissible under the Rules.

This application is disposed of with the above order.

Inform all concerned.

Shazal
Vice-Chairman

Go
Member

Copy of the order may be furnished to the counsel for the parties.

nk

By Order:

Mr 1/6/94

to 22/6/94

Office to inform all concerned
Mr 1/6/94

1.7.94
Copy of order dtd. 1.6.94 issued to all concerned by Regd. Post and their counsel also vide O.A.No. 2754-60 dtd. 4.7.94