

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 3721/2017

New Delhi this the 26th day of October, 2017

Hon'ble Shri Uday Kumar Varma, Member (A)

Shri P.S. Rai,
S/o late Shri Somnath Rai,
Aged about 62 years,

Post: Ex-Assistant Engineer (Civil)
R/o R-43, Gali No.3,
Saheed Bhagat Singh Nagar,
Karala, Delhi-81

- Applicant

(By Advocate: Mr. Mahesh Srivastava)

Versus

1. Delhi Development Authority,
Through its Chairman,
INA Market, New Delhi
2. The Deputy Director (Personal)
PB-1, DDA B-Block, Vikas Sadan,
Near INA Market, New Delhi

- Respondents

ORDER (Oral)

Heard.

2. It is contended by the counsel for the applicant that the applicant was suspended on 20.09.2008 on account of a case registered against him under Prevention of Corruption Act 1988 and subsequently his suspension was revoked on 28.03.2012. The applicant superannuated from service on 31.08.2015. It is the contention of the applicant that there are judicial pronouncements

which entitle him to grant of increments during his period of suspension as also re-fixation of his pay and resultantly enhancement of his leave encashment also. It is further submitted that the applicant had made a representation on 21.09.2012 which was replied too by Delhi Development Authority on 30.10.2012 wherein it was mentioned the representation of the applicant is being referred to the Personal Branch for obtaining clarification. The learned counsel for the applicant further states that the has made a further representation, including one on 07.12.2016 for release of increments and leave encashment. However, the respondents have not taken a decision on his representations till now.

3. The counsel for the applicant submits that the applicant will be satisfied if a time bound direction is given to the respondent no.2 to consider his representations and take a decision on the same.

4. Given the nature of the prayer, it does not seem necessary to issue notices to the respondents at this stage. The OA is disposed of, at the admission stage, by directing the respondent no.2 - Deputy Director (Personal), DDA, to consider and decide the representations of the applicant within a period of 10 weeks from the date of receipt of a certified copy of this order in the light

of rules, regulations and law in this regard. The applicant prays that he may be allowed to supplement his representations, which is permitted provided the same is done within a week from now.

5. Needless to add that such direction does not in any way reflect my opinion on the merits of this case.

(Uday Kumar Varma)
Member (A)

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