

Central Administrative Tribunal  
Principal Bench

MA 4364/2015 and  
MA 4365/2015 in  
OA 3297/2013

New Delhi, this the 5<sup>th</sup> day of January, 2016

Present: Shri R.K. Shukla and Shri S.M. Arif, for the miscellaneous  
applicant  
Shri Rajinder Nischal, for the respondents.

Miscellaneous Application No.4364/2015 has been filed under Rule 24 of the C.A.T. Procedure Rules, 1987 read with Rule 17 for expunction of adverse remarks against the counsel for the respondents in OA No.3297/2013, which was decided vide order dated 16.12.2015.

2. We have gone through the MA and are satisfied that the learned counsel had not forwarded arguments on the merits of grant of Grade Pay of Rs.6600/- as both the counsels had agreed that this had been settled by order dated 28.07.2015. Therefore, there is every ground to expunge the remarks against the learned counsel Shri R.K. Shukla.

3. However, the reply framed by the respondents was indeed unsatisfactory as plain reading of the same would make it clear that barring a single sentence that the Grade Pay was reduced under policy decision, no attempt was made by the respondents to counter the facts and arguments put forth by the applicant. Therefore, while we expunge the adverse remarks against the learned counsel Shri R.K. Shukla, even now draw the attention of the Chief Secretary so that replies are filed by the respondents in future more carefully.

4. Thus, now para 10 of the order dated 16.12.2015 would read as follows:

“10. Before we part, we would like to draw attention of the respondents that in this case the reply of the respondents was hardly of any assistance to this Tribunal. In fact, they could not even address the basic issues raised by the applicant in her OA. Let a copy of this order be sent to the Chief Secretary, Government of National Capital Territory of Delhi so that he may take suitable steps in this regard for future.”

5. Registry is directed to issue corrected copy of the order.

6. As regards M.A.4365/2015, it is told that the order dated 16.12.2015 has already been displayed on the CAT website, therefore, this MA also stands disposed of having become infructuous.

( P.K. Basu )  
Member (A)

( V. Ajay Kumar )  
Member (J)

*/dkm/*