

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...

**M.A. No.60/1285/2018  
O.A. No.60/1011/2018**

**Date of decision: 20.11.2018**

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).  
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

...

Pushpinder Kumar S/o Sh. Raj Kumar age 38 years, Clerk, Government Model High School, Mauli Colony, U.T. Chandigarh, R/o House No.1316/19, Phase-XI, SAS Nagar (Mohali) Punjab PIN 160062.

(Group-C)

**... APPLICANT**

**VERSUS**

1. Union Territory, Department of Education, Chandigarh Administration through its Secretary, U.T. Secretariat, Sector-9, Chandigarh-160009.
2. Director Higher Education, Chandigarh Administration, Additional Deluxe Building, First Floor, Sector-9, Chandigarh-160009.
3. Priyanka, Clerk, Government High School, Sector-30, Chandigarh-160030.

**... RESPONDENTS**

**PRESENT:** Sh. Amit Sharma vice Sh. Madhav Pokhrel, counsel for the applicant.  
Sh. A. L. Nanda, counsel for the respondents.

**ORDER (Oral)**

...

**SANJEEV KAUSHIK, MEMBER (J):-**

1. Present O.A. has been filed by the applicant seeking issuance of a direction to the respondents to fix his pay at par with his junior i.e. proforma respondent no.3 w.e.f. 1.7.2012, the date when anomaly arose and to grant all the consequential benefits thereof.

2. On notice, respondents represented through Sh. A.L. Nanda, drew our attention to letter dated 23.05.2018 (Annexure A-7), whereby the respondents have informed the applicant that his case is pending consideration because they have sought clarification from State of Punjab, as they are following Punjab pay rules. Therefore, he prayed that since clarification has not yet been received from the State of Punjab, so this issue cannot be decided and prayed that this petition may be closed at this stage as they have not rejected the claim of the applicant as yet.
3. Considering the fact that claim of the applicant has not been rejected by passing any order and has been kept pending due to non-receipt of clarification from State of Punjab, therefore, at this stage, we see no reason to entertain this O.A. as no cause of action has arisen in favour of the applicant with a caution to the respondents to expedite the matter with regard to seeking clarification and decide the claim of the applicant expeditiously.
4. Accordingly, the O.A. along with M.A. stands disposed of at this stage.

**(P. GOPINATH)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

Date: 20.11.2018.  
Place: Chandigarh.

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