

**Central Administrative Tribunal
Madras Bench**

OA/310/01284/2014

Dated Thursday the 30th day of August Two Thousand Eighteen

P R E S E N T
Hon'ble Mr. R.Ramanujam, Member(A)
&
Hon'ble Mr.P.Madhavan, Member(J)

C.G.Geetha,
W/o M.S.G.Nair,
No.8/73, Tiruvalluvar Nagar,
3rd Street, Chennai 600 118. .. Applicant
By Advocate **M/s..K.Raja**

Vs.

1. Union of India, rep by
Chief Commissioner of Central Excise,
Chennai Zone, Nungambakkam,
Chennai 600 034.
2. The Commissioner of Central Excise,
Chennai Zone, Nungambakkam,
Chennai 600 034.
3. The Additional Commissioner of Central Excise,
Chennai Zone, Nungambakkam,
Chennai 600 034. .. Respondents

By Advocate **Mr.V.Sundareswaran**

ORAL ORDER
(Pronounced by Hon'ble Mr.R.Ramanujam, Member(A))

Heard. The applicant has filed this OA seeking the following relief:-

“to call for the records of the 1st respondent in his proceeding C.No.11/40/2/2013-SGRC dated 25.3.2014 and quash the same and consequently direct the respondents herein to forthwith settle the monetary and other attendant benefits in the post of Inspector of Central Excise w.e.f. 13.6.2003 together with interest at the rate of 24% per annum from 13.6.2003 till the date of disbursement and pass such further or other orders as it may deem fit and thus render justice.”

2. It is submitted that the applicant is aggrieved that the order of this Tribunal in OA 414/2006 dated 18.9.2008 had not been fully complied with in as much as while the applicant had been granted promotion with effect from the date of promotion of his junior, he had not been granted the consequent monetary benefits. The authorities filed a WP No.2836/2009 against the order of the Tribunal which was dismissed by the Hon'ble High Court of Madras by an order dated 05.10.2009. Hence, the applicant is entitled to the relief sought, it is contended.

3. Learned counsel for the respondents would submit that the respondents had complied with the order of this Tribunal and the question of grant of 24% interest on monetary benefits not due to the applicant, does not arise.

4. On perusal, it is seen that this Tribunal had allowed the prayer of the applicant for retrospective promotion with monetary benefits in OA 414/2006 by an order dated 18.9.2008. The WP thereagainst had been dismissed on 05.10.2009. Clearly the

applicant slept over his rights for a period of nearly 5 years before filing this OA. In any case, the remedy for an alleged non-compliance of an order of the Tribunal is not filing another OA.

5. OA is dismissed. No costs.

(P.Madhavan)
Member(J)

(R.Ramanujam)
Member(A)

30.8.2018

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