

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
OA/050/00419/16

Date of Order: 13.09.2019

C O R A M
HON'BLE MR. JAYESH V. BHAIRAVIA, JUDICIAL MEMBER
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER

Shatrughna Sinha, Son of Sri Awadh Kishore Sinha, Regional Passport Officer,
Ministry of External Affairs, Government of India, Patna (Bihar).

.... Applicant.

By Advocate: - Mr. M.P. Dixit

-Versus-

1. Union of India through the Secretary, Ministry of External Affairs,
Government of India, South Block, New Delhi.
2. The Secretary, Department of Personnel & Training, Government of India,
New Delhi.

.... Respondents.

By Advocate: - Mr. Kumar Sachin

O R D E R
[ORAL]

Per Dinesh Sharma, A.M:- In this OA the applicant has prayed for granting the benefit of pay protection to the applicant in the Indian Foreign Service by protecting his pay Rs. 30,700/- which he was getting in the NTPC, in view of the orders/judgment passed by the Full Bench of CAT, Principal Bench (OAs 1436, 1437 & 1438 of 2007 - decision dated 28.04.2007) which was upheld by Hon'ble Delhi High Court on 22.07.2010.

2. A written statement has been filed by the respondents in which they have stated that pay protection is available for persons who earlier worked under another government or public sector undertaking only when

selection was through interview and not through an open competitive examination as per OM dated 10.07.1998 of DoP&T. However, the respondents have conceded that they are re-visiting this order of the DoP&T and the matter is under consideration in consultation with the UPSC.

3. The applicant has filed a rejoinder in which he has stated that the respondents are only delaying the matter unnecessarily to harass the applicant for their own fault.

4. We have gone through the pleadings and heard the arguments of learned counsels of both the sides. Since the respondents have not categorically denied consideration of the applicant's request for pay protection and are still said to be in the process of considering this request, we dispose of this OA with direction to the respondents to take an appropriate decision in the light of the judgments cited by the applicant within 60 days of receipt of this order. The OA is disposed of accordingly.

No costs.

[Dinesh Sharma]
Administrative Member
Srk.

[Jayesh V. Bhairavia]
Judicial Member