

(V)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1881/2003

This the 1st day of August, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)
Sh. R.M.Roy,
S/o Late Sh. N.B.Roy,
R/o H.No. RZ-723/F,
Street No.1, Puran Nagar,
New Delhi-110047.

(By Advocate: Sh. S.K.Sawhney)

Versus

1. Chairman
University Grants Commission
Bahadurshah Zafar Marg,
New Delhi-110002.
2. Director (Administration),
University Grants Commission
Bahadurshah Zafar Marg,
New Delhi-110002.

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

Applicant has filed this OA as he has a grievance against illegal act of the respondents for reducing the consolidated amount of Rs.6000/- to Rs.4250/- being paid to the applicant as per earlier order. It is the case of the applicant himself that he is a retired Section Officer from U.G.C. and has been appointed after his retirement on contract basis for a period of 6 months w.e.f. 8.7.99 on a monthly consolidated amount of Rs.6000/-. Though the contract has been renewed from time to time but now w.e.f. 16.8.2001, the payment of consolidated amount of Rs.6000/- has been reduced to Rs.4250/-. So applicant prays for quashing of the order and is seeking a direction to the respondents to pay the difference of the amount for the period 8.7.2001 to 16.8.2001 with interest.

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2. I have heard the learned counsel for the applicant and gone through the record. Admittedly, applicant has been appointed on contract basis that too after his superannuation as Section Officer, so the Civil Services Rules do not apply to him. Applicant does not hold any civil post. If at all there is a breach of contract whereby applicant has been paid a lesser salary than the applicant has a remedy before civil court and not before this Tribunal. Besides I may also mention that it is open to the respondents to vary the terms of contract and there is no violation of any principle of natural justice or the service rules framed under Article 309 of the Constitution of India or any other service rules. Hence, there is no cause of action to file OA before this Tribunal. OA is, therefore, dismissed in limini.


(KULDIP SINGH)
Member (J)

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