

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No. 695/2019

DATE OF DECISION: 15th October, 2019

CORAM: DR. BHAGWAN SAHAI, MEMBER (A)
RAVINDER KAUR, MEMBER (J)

A.M. Shamsher, age 61 years,
son of Shri Mahmood Saheb
Retd. As Library and Information Assistant,
Armed Forces Medical College, wanowrie
Pune - 411 040.
(R/o. S.No.76/5 Jagtap Nagar, Wanowrie
Pune - 411 040. **Applicant**

(By Advocate Ms. Sujatha Krishnan)

VERSUS

1. The Union of India, through
The Secretary, Ministry of Defence,
DHQ, P.O. New Delhi - 110 011.
2. The Director General of Armed Forces
Medical Services, 'M' Block, New Delhi - 01.
3. The Commandant Armed Forces Medical College,
Wanowrie, Pune -411 040. **Respondents**

ORDER (ORAL)

Per: Ravinder Kaur, MEMBER (J)

When the case was called out, heard arguments addressed by Ms. Sujatha Krishnan, learned counsel for the applicant on the point of Admission.

2. This is second round of litigation. Earlier the applicant had filed OA No.115/2002 and one Mrs. Kalpana A. Bhat filed OA

No.919/2001 which were disposed of vide common order dated 01.11.2002 with the following observations made in its para 14 while disposing of OA No.115/2002:-

"14. We accordingly direct the respondents to consider granting the revised pay scale as given to the library staff under the Defence Ministry vide letter dated 26th July, 1994 and grant the revised scale of Rs.2000-3500 with effect from 26th July, 1994 with consequential benefits such as arrears due to difference in pay etc. This shall be complied with within a period of two months from the date of receipt of copy of this order. The OA is allowed. We do not order any costs.

This order was challenged by the respondents before the Hon'ble High Court vide Writ Petition No.4433/2003 which was dismissed vide order dated 30.08.2018. Thereafter the applicant approached the respondents vide representation dated 06.12.2018 (Annex A-18) in terms of directions of this Tribunal vide order dated 01.11.2002 vide common judgment in OA Nos.115/2002 & 919/2001 and the order of Hon'ble High Court in Writ Petition No.4433/2003. It is submitted that the said representation is still pending disposal and the applicant has not received any response from the respondents.

3. In the facts and circumstances of the case, it is appropriate to issue necessary direction to the respondents. Consequently, the

respondent No.3 is directed to consider and dispose of the representation of the applicant dated 06.12.2018 as per law vide speaking and reasoned order within a period of four weeks from the date of receipt of certified copy of this order and to communicate such order so passed to the applicant within one week thereafter.

4. With these directions, the Original Application is disposed of. No order as to costs.

(Ravinder Kaur)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

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*JD
22/10/19*

