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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

CP NO. 458/2004 IN
OA NO. 2049/2002

This the 17th day of January, 2005

HON'BLE MR. JUSTICE M.A.KHAN, VICE CHAIRMAN (J)
HON'BLE MR. D.R.TIWARI, MEMBER (A)

Bashir Ahmad
R/o A78/G3, Dilshad Colony,
Delhi-95.

(Applicant in person)

Versus

Mr. B.S.Baswan,
Secretary, Secondary & Higher Education,
Government of India,
Department of Human Resources Development,
Shastri Bhawan, New Delhi.

(By Advocate: Sh. N.K.Agarwal)

ORDER (ORAL)

By Hon'ble Mr. Justice M.A.Khan, Vice Chairman (J)

Vide order dated 6.8.2002 respondents are directed to consider the representation of the applicant by passing a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order. Counsel for respondents has produced copy of the order dated 12.11.2002 whereby the representation of the applicant was disposed of by a speaking order. Applicant has admitted that he has received copy of the order earlier also.

2. Applicant, however, submitted that in para 7 of the order, respondents had rejected his representation till the outcome of the writ petition before the Hon'ble High Court. Counsel for respondents has submitted that the order of the Tribunal passed in this OA was not challenged by filing a writ petition but some other order passed in another OA was challenged. Though this fact was not clearly mentioned in the order but the fact remains that the representation of the applicant has been disposed of by a reasoned and speaking order. Accordingly,

place and date

the show cause notice is discharged and the CP is dismissed. It is open to the applicant to assail the order, if he is still aggrieved, by taking recourse to available remedy in accordance with law.

3. Counsel for respondents has submitted that respondents may also be allowed to take all legal objections, in case another petition is filed by the applicant. Respondents are permitted to do so. Accordingly, CP is dismissed.

D.R. Tiwari
(D.R. TIWARI)
Member (A)

M.A. Khan
(M.A. KHAN)
Vice Chairman (J)

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