

**CENTRAL ADMINISTRATIVE TRIBUNAL**

**BANGALORE BENCH AT BANGALORE**

**MISCELLANEOUS APPLICATION NO.170/00840/2019**

**IN**

**ORIGINAL APPLICATION NO.170/001331/2018**

**DATED THIS THE 27<sup>TH</sup> NOVEMBER, 2019**

**HON'BLE DR K B SURESH....MEMBER (J)**

**HON'BLE SHRI C V SANKAR .....MEMBER (A)**

1. The Commanding Officer,  
Station Work Shop, EME Type J,  
Agram Post, Bangalore – 560 007.
2. The Directorate General of EME,  
Master General of Ordinance Branch,  
Integrated Head Quarters of MOD (Army)  
New Delhi-110 106.
3. The Union of India,  
Ministry of Defence,  
Rep by its Secretary, DHQ PO,  
New Delhi-110 001.
4. Commissioner of Police/Superintendent of Police,  
District Police Headquarters,  
PO: Chinsurah RS  
District: Hoogly,  
State: West Bengal,  
Pin Code:712 102.

...Applicants

(By Advocate Shri.S.Sugumaran, ACGSC)

Vs.

Sri.Subodh Kumar Shaw,  
S/o Shankar Shaw,  
Aged about 29 years,  
Resident of No.31/14, Type 1 Quarters,  
DGQA Residential Complex,  
Guntha Vihar, J.C.Nagar Post,  
Bangalore-560 006.

...Respondent

(By Advocate Shri.B.Veerabhadra)

**ORDER (ORAL)****HON'BLE DR K.B.SURESH, MEMBER (J)**

The original respondent produces a letter No.B/03418/1845/EME.CIV-6 dated 4.11.2019. At this point of time, Shri.S.Sugumaran, learned counsel for the applicants in MA clarifies that the original respondent EME was disbanded and the charge of EME was given to 515 Workshop. Therefore, there is a subrogation of respondents in this matter and this new respondent now approaches and seeks six more months' time to implement the earlier order in which one month was already granted.

2. The only question is the question of survival. The fundamental right to life guaranteed under the constitutional process of India would indicate that whenever such issues are handled by adjudicative authorities as well as administrative authorities, it shall be done with sensitivity and a sense of responsibility. But we also accept that there may be administrative formalities to be undergone because the substitution has now taken place within the format of respondents even though both are under the aegis of the Government of India alone in the Ministry of Defence. Therefore, we will now grant three more months' from today to implement the order and issue an appointment order to the applicant.

3. MA is allowed as above. No order as to costs.

**(C V SANKAR)**  
**MEMBER (A)**

**(DR K.B.SURESH)**  
**MEMBER (J)**

/rsh/

**Annexures referred to by the Applicant in MA No.170/00840/2019**

- Annexure MA-1    Copy of order dated 18.10.2019 in OA no.1331/2018
- Annexure MA-2    Copy of the letter of Disbandment No.A/30101/CoE/Stn Wksp  
Ph-II/SD-8 dt. 25.4.2019
- Annexure MA-3    Copy of the letter of Approval No.B/03418/1845/EME/Civ-6  
dated 4.11.2019.