

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No. 90/2020

DATE OF DECISION: 24th January, 2020

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

Shri Narendra Arvind Pande
 working as Superintendent
 in the Office of Branch Secretariat
 Ministry of Law and Justice,
 Aaykar Bhavan, New Marine Lines,
 Mumbai - 400 020.

Residing at 103/A, 'Sarvodaya Srushti
 Bldg. No.1 CHS, Near Aashapura Complex,
 Sunil Nagar, Dombivli (E),
 Distt. Thane, Pin - 421 201.
 Mob - 9821684193.

... *Applicant*

(By Advocate Shri Vishal Shirke)

VERSUS

1. Union of India through the Secretary,
 Govt. of India, Ministry of Law & Justice,
 Department of Legal Affairs,
 4th Floor, Shastri Bhavan,
 Dr. Rajendra Prasad Road,
 New Delhi - 110 001.
2. Smt Renu Pandey,
 Assistant Legal Adviser,
 Presently working at M/o Law & Justice,
 Department of Law & Justice,
 4th Floor, Shastri Bhavan,
 Dr. R.P. Road,
 New Delhi - 110 001. ... *Respondents*

O R D E R (ORAL)

Per: Ravinder Kaur, MEMBER (J)

The present OA has been filed by the
 applicant under Section 19 of the Administrative

Tribunals Act, 1985 seeking the following reliefs:-

"8(a) This Hon'ble Tribunal be pleased to call for the records and proceedings in respect of Office Order No.57/2019 dated 21.06.2019 and upon perusal of the same be further be pleased to quash and set aside the above impugned Office Order and accordingly direct the respondents to appoint the applicant as Assistant Legal Adviser on regular basis, with all consequential benefits.

8(b) This Hon'ble Tribunal be further pleased to grant stay to the effect and operation of the Office Order No.131/2019 dated 03.12.2019 whereby the applicant was repatriated (reverted) to the post of Superintendent (Legal) w.e.f. 17.06.2019 i.e. with retrospective effect.

8(c) This Hon'ble Tribunal be pleased to pass such other and further orders as deem fit in the fact and circumstances of the case and in the interest of justice;

8(d) The cost of this application be awarded to the applicant."

2. When the case was called out, we have heard Shri Vishal Shirke, learned counsel for the applicant on the point of Admission. We have also carefully perused the case record.

3. At this stage, learned counsel for the applicant submits that he does not press relief clause 8'b' referred ^{to} above.

4. It is submitted that against office order No.57/2019 dated 21.06.2019 whereby the applicant was not promoted on the regular basis, he has preferred a representation dated 10.12.2019. However, the same is still pending

disposal.

5. Learned counsel for the applicant submits that it would be appropriate if necessary directions are issued to the respondents. Accordingly, respondent No.1 is directed to consider and dispose of the representation dated 10.12.2019 of the applicant (Annexure A-21) vide reasoned and speaking order in accordance with instructions, rules and law within a period of six weeks from the date of receipt of certified copy of this order and communicate the order so passed to the applicant within one week thereafter.

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

7. Registry is directed to make endorsement against para 8'b' that the same has not been pressed by the applicant.

(Ravinder Kaur)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

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SD.WD

