

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.3126/2001

Wednesday, this the 28th day of November, 2001

Hon'ble Shri S.A.T. Rizvi, Member (Admn)

Shri Chander Dev,
S/o Shri Geeta
R/o K-200, Vijay Vihar Phase-II,
Rohini, Delhi-110085

... Applicant

(By Advocate : Shri S.P. Sharma)

Versus

1. Union of India
Through Ministry of Urban Development,
through its Secretary,
Shastri Bhawan,
New Delhi
2. Central Public Works Department,
through its Director,
Nirman Bhawan,
New Delhi

.. Respondents

O R D E R (ORAL)

Heard the learned counsel.

2. The applicant, who is a Carpenter in the CPWD, was transferred to Sucheta Kriplani Hospital, New Delhi, about two years back. It is here that ~~the~~ ^{his} troubles started when an officer by name Shri Shyam Ji Jai started harassing him on various counts. The same followed up by the applicant being beaten up in August 2000 at the instance of the Executive Engineer, SDO and the same Shri Shyam Ji Jai. In May 2000 the applicant had withdrawn Rs.10,000/- from his Provident Fund. However, by manipulation the concerned official had shown Rs.15,000/- as having been withdrawn from the GPF account. Aggrieved by the aforesaid circumstances, the applicant approached the Commissioner of Police, the SHO, P.S. Mandir Marg,

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New Delhi and also the High Court of Delhi on two occasions. The latter petition filed by him in the aforesaid criminal case is going to come up on 3.12.2001. The applicant has also filed representations before the Director, CPWD on 3.10.2000 with a legal notice served on the same authority as well as the Under Secretary, CPWD together with ² ~~the~~ the Chairman, National Human Rights Commission on 14.10.2000. The aforesaid representations are yet to be replied to by the respondents. In the circumstances, the applicant apprehends that he would be transferred to some other Division of the CPWD and that is why the present OA. He prays for a direction to the respondent-authority to allow him to join his duties as Carpenter in the aforesaid hospital and not to transfer him out from ~~the~~ ² ~~the~~ hospital.

3. I have considered the submissions made by the learned counsel and find that the applicant has come before the Tribunal without a proper grievance. He has not impugned any order passed by the respondent-authority. He is here only on the basis of an apprehension. The OA, in the circumstances, is not maintainable and deserves to be dismissed.

4. However, without proceeding to dismiss the present OA I would rather dispose it of without issuing notices with a direction to the respondents to consider the aforesaid representations and to settle the matter properly and adequately insofar as the service interests of the applicant are concerned. The respondents will do

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so expeditiously and in a maximum period of one month from the date of receipt of a copy of this order.

5. Needless to say that if the applicant is aggrieved by the orders to be passed by the respondent-authority in compliance of the above directions, he will have the liberty, if so advised, to challenge the same in a proper OA, *in accordance with law*.

S.A.T. RIZVI

(S.A.T. RIZVI)
Member (A)

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