CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.3186/2001

New Delhi, this the 11th day of December 2001

HON'BLE MR. M.P.SINGH, MEMBER (A)

Vijay Shanker Pandey
S/o Late Shri Babbar Pandy,
R/o F.No.214, Kankar Nagh, Defence Colony,
Patna (Bihar).

... Applicant

(By Advocate: Shri Yogesh Sharma)

V E R S U S

1. Union of India Through the Secretary
Govt. of India, Ministry of Science
& Technology, Technology Bhawan,
New Mehrauli Road, New Delhi

2. The Director , (AIR),
Directorate of Surveyor,
Survey of India, R.K. Puram,
Block IV, New Delhi.

... Respondents

O R D E R (ORAL)

Heard Shri Yogesh Sharma, learned counsel for the applicant.

2. By filing the present OA under Section 19 of the Administrative Tribunals Act, 1985, the applicant is seeking direction to the respondents to consider his case for withdrawal of his resignation as per Rule 26 of the CCS (Pension) Rules, 1972 after granting him relaxation, if necessary, and has also sought direction to declare that he is entitled for re-instatement with all consequential benefits.

3. Brief facts of the case are that the applicant was appointed as Draftsman in the office of respondent No.2 on 8.5.1991. In the year 1994, the applicant fell sick due to psychiatric problems for which he

continued under treatment for a long time. Thereafter he submitted his resignation from service on 28.2.2000. The resignation of the applicant was accepted by the respondents on 31.5.2000, as verbally informed, but no order to that effect has communicated to the applicant. The applicant had made representation dated 18.12.2000 to the respondent for his re-appointment after accepting the withdrawal of his resignation. The respondents had asked the applicant to submit a fitness certificate from the hospital from where he had under gone treatment. The applicant had submitted a fitness certificate on 26.4.2001 from the Central Institute of Psychiatry where he was under treatment. Till now no reply has been received by the applicant from the respondents.

4. In the circumstances, I feel that the ends of justice will be duly met, if a direction is given to the respondents to decide the aforesaid representations of the applicant and also treat this application as a part of his representation by passing a reasoned, detailed and speaking order within a period of two months from the date of receipt of a copy of this order. I direct accordingly.

5. The present OA is disposed of in the aforesaid terms at the admission stage itself.

6. Registry is directed to send a copy of this OA along with this order to the respondents.

(M.P.SINGH)
MEMBER(A)

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