

Central Administrative Tribunal:Principal Bench

O.A. No.1423/96.

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New Delhi, this the 9th day of July, 1996

Hon'ble Mr. Justice A.P.Ravani, Chairman  
Hon'ble Mr. R.K.Ahooja, Member (A)

Shri Dharam Vir,  
s/o Shri Mast Ram,  
c/o Sh. S.M.Garg,  
113-C, DDA LIG Flats,  
Motia Khan, New Delhi.

...Applicant

(By Shri S.M.Garg, Advocate)

Versus

1. Central Public Works Department  
through its Director General(Works),  
Nirman Bhawan, New Delhi-1.

2. Executive Engineer,  
"J" Division, CPWD,  
East Block, Level III,  
RK Puram, New Delhi.

3. Superintending Engineer,  
Circle 6, CPWD, East Block,  
Level III, R.K.Puram,  
New Delhi.

...Respondents

(By None)

O R D E R (oral)

Hon'ble Mr. Justice A.P.Ravani, Chairman.

Leave to add Superintending Engineer,  
Circle 6, C.P.W.D., as party respondent.

The applicant is serving with C.P.W.D.  
According to him, he is performing the duties  
of Enquiry Clerk and yet he has been labelled  
as Beldar. As averred in the OA, he has been per-  
forming duties of Enquiry Clerk for the last about  
ten years. On the basis of the averments made  
in the O.A., it is prayed that respondents be

(3)

directed to regularise the services of the applicant as Enquiry Clerk and pay all consequential benefits flowing from such regularisation. Other consequential benefits have also been prayed.

In view of the averments made in the O.A. that the representation made by the applicant has so far not been decided, we think it proper <sup>at this stage</sup> to entertain the O.A. In our opinion, ends of justice would be met if the OA is disposed of at this stage by giving following directions:-

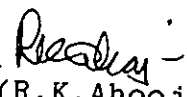
- (a) the applicant is directed to furnish three copies of the application together with all annexures to the Registry of the Tribunal latest by July 12, 1996;
- (b) Registry of this Tribunal is directed to send a copy of this order to all the respondents together with a copy of the application latest by July 16, 1996;
- (c) Respondent no. 3 i.e. Superintending Engineer (Circle 6), CPWD is directed to decide the representation made to him, reference of which is made in para 4(xvii & xviii) of the O.A. Representation shall be decided by respondent no. 3 in accordance with law and on merits. The respondent no. 3 shall take the decision, as stated above, latest by September 15, 1996. A copy of the decision that may be taken by respondent no. 3 shall

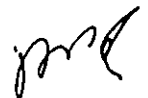
(A)

be served upon the applicant by registered A.D. post and also by ordinary post under postal certificate, within a period of three days from the date of taking decision;

- (d) If the applicant feels aggrieved by the decision that may be taken by respondent no. 3, it will be open to the applicant to challenge the legality and validity of the same by filing fresh O.A. or by taking any other appropriate actions as may be available to him in accordance with law.

Subject to the aforesaid observations and directions, the O.A. stands disposed of.

  
(R.K. Ahooja)  
Member (A)

  
(A.P. Ravani)  
Chairman

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