

Central Administrative Tribunal
Principal Bench, N. Delhi.

CA No. 2274/94

New Delhi this the 17th of November, 1994.

Hon'ble J.P. Sharma, Member (J)

Hon'ble B.K. Singh, Member (A)

Vijay Kumar Pandit
s/o Late Sh. N.N. Pandit,
R/O 80-D, DDA Flats,
Jhilgil,
Delhi.

Applicant

(By Advocate: Shri S.P. Sharma)

Versus

1. Union of India
Through Secy., Ministry of Defence,
South Block,
New Delhi.

2. Assistant Chief Director
of Purchase-II,
Govt. of India,
Ministry of Defence,
Army Purchase Organisation,
Room No. 392/A, Krishi Bhawan,
New Delhi.

Respondents

(By Advocate —)

ORDER (ORAL)

HON'BLE SHRI J.P. SHARMA, MEMBER (J)

That the applicant is serving in the Defence Grinding Mill and he has been served with the query dated 6.10.1994 in which he has been asked to furnish certain information direct to the Director (MP) Org. 4(Civ.(b), AG's Branch, Army Hqrs. Sena Bhawan, under intimation to this office by 4th November, 1994. Earlier to this by letter dated 3.10.1994


(3)

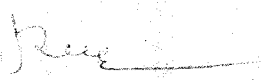
the applicant has been given three months notice under the provisions of rule 39(2) of CCS Pension Rule, 1972. This letter shows that the decentralised grinding of the wheat under Army Purchase Organization, Ministry of Defence in these commands will be decentralised w.e.f. 1.12.1994 in respect of Northern, Southern, Eastern and Western commands. The winding^{up} of the operation of such grinding contracts including the disposal of stores, completion of audit of financial documents, transfer of Government stores to local depots will be completed by 31.12.94. In view of this staff employee in the Defence Grinding Mills for the above four commands will become surplus, therefore, their services are no longer required.

2. The contention of the learned counsel is that the impugned order dated 3.10.1994 is liable to be quashed as the applicant has not furnished any choice of compensatory pension and has not reached the age of superannuation.

3. We find that the present application is totally premature and the applicant has not made any representation highlighting his grievance before the Department particularly in respect to the letter dated 6.10.1994 (Annexure 'D').

4. The application is, therefore, pre-matured and is not maintainable with liberty to the applicant to assail any grievance if surviving after making representation and is not granted the relief he prays for. Application is dismissed accordingly.


(B.K. SINGH)
MEMBER (A)


(J.P. SHARMA)
MEMBER (B)