

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.1165/2000

15

New Delhi, this the 31st day of August, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Shri M.P. Singh, Member (A)

Birender Kumar
XII/899, RK Puram,
New Delh-110066.

(By Advocate: Shri G.K. Aggarwal)

.... Applicant

V E R S U S

1. Union of India thro'
Secretary, Deptt. of Personnel
& Training, North Block,
New Delhi-110001.
2. The Secretary,
Department of Expenditure,
Ministry of Finance,
North Block,
New Delhi-110001.
3. The Secretary,
Ministry of Urban Development
Nirman Bhawan,
New Delhi-110011.
4. The Director General (Works)
Central Public Works Deptt.
Nirman Bhawan,
New Delhi-110011.
5. The Secretary,
National Anolaly Committee
Deptt. of Pers. & Trg., North Block,
New Delhi-110001.

.... Respondents

(By Advocate: Shri D.S. Mahendru)

ORDER (ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J):

We have heard both the learned counsel for the parties.

2. The applicant has prayed for the following relief:-

"Direct the National Anomalies Committee to invite the Head Clerks of CPWD through the Applicant to submit a detailed statement of case to it and to appear before it and to decide their claim by a detailed speaking order within three months (the detailed case be invited and submitted within 15 days and personal hearing within further 15 days), grant any other relief."

Ys


3. This application is ~~as~~ a sequel to the directions of the Tribunal in CP 187/99 filed by the applicant in which the following order was passed on 22.12.1999:-


"5. In the above facts and circumstances, the CP is disposed of with a direction to the Respondents in the Ministry of Urban Affairs & Employment through Additional Secretary, Ministry of Urban Affairs & Employment, New Delhi, to expeditiously pursue the matter with the National Anomalies Committee so that the directions of the Tribunal in order dated 15.3.1999 are complied with as early as possible, and preferably within three months from the date of receipt of a copy of this order."

4. In the present OA, the Secretary, National Anomalies Committee has been impleaded as Respondent No.5.

5. In view of the orders of the Tribunal in CP 187/99, the further observations of Respondents No.1-4 that there is no anomaly, as such there is no question of referring this item to the National Anomaly Committee, cannot be accepted.

6. In the above facts and circumstances of the case, we are of the view that it would be appropriate to direct Respondent No.5 to deal with the issues raised in this OA and pass a reasoned and a speaking order. They shall do so after giving a reasonable opportunity to the applicant to put forward his case and give him a personal hearing. Necessary action shall be taken by Respondent No.5 within three months from the date of receipt of a copy of this order with intimation to the applicant. No order as to costs.


(M.P. Singh)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)