

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-215/2000

New Delhi this the 24th day of May, 2001.

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)
Hon'ble Dr. A. Vedavaill, Member(J)

Dr. Hussain Ahmad,
S/o late Sh. Mustaq Ahmad,
Additional Director(S),
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex,
Lodi Road, New Delhi-110 003. Applicant

(through Sh. Rakesh Drivedi, Sr. Counsel with
Ms. Nirjana Singh, Advocate)

Versus

1. Union of India through
the Secretary,
Ministry of Environment & Forests,
Paryavaran Bhavan, CGO Complex,
Lodi Road, New Delhi-3.
2. Sh. Harjit Singh,
SR Advisor(H),
Ministry of Environment and Forests,
Paryavaran Bhawan, CGO Complex,
Lodi Road, New Delhi-3. Respondents
(through Sh. M.M. Sudan, Sr. Standing Counsel)

ORDER (ORAL)

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)

Heard both sides.

2. Applicant's counsel states that applicant is aggrieved by respondents order dated 07.06.2000 (Annex.P1 to MA-2153/2000 seeking amendment of the OA) and order dated 14.08.2000 (Annex.P-III) rejecting applicant's representation dated 08.03.2000, against the adverse remarks for the year 1997-98 communicated to him vide memo dated 02.02.2000.

3. A perusal of the contents of respondents order dated 07.06.2000 reveals that the only reason why respondents have rejected applicant's representation against those adverse remarks is because of 6 days delay in submission of the representation.

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4. Respondents in their reply to the aforesaid MA, have given certain reasons why they have rejected applicant's representation against those adverse remarks, on ground of delay, but we are of the considered view that in the interest of justice, applicant is entitled to have his representation against the aforesaid adverse remarks considered and disposed of on merits.

5. Under the circumstances, this O.A. is disposed of with the direction to respondents to consider applicant's representation against the adverse remarks for the year 1997-98 on merits and dispose of the same by detailed, speaking and reasoned order, in accordance with rules and instructions, under intimation to applicant within two months from the date of receipt of a copy of this order.

6. If any grievance still survives, it will be open to applicant to agitate the same through appropriate original proceedings, in accordance with law, if so advised.

No costs.

A. Vedavalli
(Dr. A. Vedavalli)
Member(J)

S.R. Adige
(S.R. Adige)
Vice-Chairman(A)