

**Central Administrative Tribunal
Principal Bench, New Delhi**

**OA No.1388/2020
MA No.1765/2020**

New Delhi, this the 29th day of September, 2020

(Through Video Conferencing)

Hon'ble Mr. R.N.Singh, Member (J)
Hon'ble Mr. Mohd. Jamshed, Member (A)

Mani Bhushan Tiwari
S/o Lakshman Tiwari
Age 52 years
R/o 602-D, Gulmohar Greens
Mohan Nagar, Ghaziabad,
U.P.-201007.

... Applicants

(By Advocate:Shri Anil Kumar Mishra)

VERSUS

1. Govt. of NCT of Delhi
Through Chief Secretary
Delhi Secretariat, IP Estate
New Delhi – 110002.

...Respondent No.1

2. Lieutenant Governor
Delhi
6, Raj Niwas Marg
New Delhi – 110002.

... Respondent No. 2

3. Principal Secretary/Secretary
Services, Services Department, 7th
Floor, Delhi Secretariat, IP Estate
Delhi – 110002.

... Respondent No. 3

4. Principal Secretary/Secretary Vigilance
Department of Vigilance
4th Floor, Delhi Secretariat
IP Estate, Delhi – 110002.

... Respondent No. 4

5. Principal Secretary/
Secretary Education

Department of Education
Govt. of NCT of Delhi, Old Secretariat
Near Vidhan Sabha Metro Station
Civil Lines, Delhi – 110054.

... Respondent No. 5

(By Advocate:Ms. Esha Mazumdar)

O R D E R (Oral)

By Hon'ble Shri R.N.Singh, Member (J)

Heard the learned counsel for the applicant.

2. The present OA under Section 19 of the AT Act, 1985 filed by the applicant to challenge the order dated 31.10.2019 (Annexure A-1) vide which the respondents have compulsorily retired the applicant by invoking the provisions of FR 56(j).

3. At the outset, learned counsel for the applicant submits that aggrieved of the impugned order dated 31.10.2019, the applicant has preferred a representation dated 19.11.2019 (Annexure A-12) for redressal of his grievances, however the said representation is still pending consideration of the respondents.

4. Issue notice. Ms. Esha Mazumdar, learned standing counsel who appears for respondents on advance service, accepts notice.

5. Learned counsel for the applicant submits that the applicant shall be satisfied, if the present OA is disposed of at this very stage, with a direction to the respondents to consider the

applicant's aforesaid pending representation dated 19.11.2019 (Annexure -12) and to dispose of the same in a time bound manner. In this regard, he refers and relies upon the order dated 02.09.2020 in OA No.1194/2020, titled Vipin Kumar Jain Vs. Govt. of NCT of Delhi & Ors..

6. In the facts and circumstances, we are of the considered view that if such request of the learned counsel for the applicant is accepted, no prejudice is likely to be caused to the respondents.

7. In view of the aforesaid, without going into the merit of the claim of the applicant, we hereby dispose of the present OA with direction to the respondents to consider the applicant's aforesaid representation dated 19.11.2019 [Annexure A-12) and to dispose of the same by passing an appropriate reasoned and speaking order as expeditiously as possible and in any case within 8 weeks of receipt of a certified copy of this order.

8. The OA is disposed of in the aforesaid terms. Pending MA also stands disposed of. No costs.

(Mohd. Jamshed)
Member (A)

(R.N.Singh)
Member (J)

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