

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH**

**ORIGINAL APPLICATION NO.170/00400/2020**

**DATED THIS THE 13<sup>th</sup> DAY OF OCTOBER, 2020**

**CORAM:**

**HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)**

**HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)**

Sri G.T.Rao, S/o. Late G.Muneiah  
(PIS No.124666) aged 52 years  
O/O Deputy Central Intelligence Officer (DCIO)  
Subsidiary Intelligence Bureau  
Ministry of Home Affairs  
Government of India, Ward No.25  
Block No16, Vijayanagara Colony  
Cantonment Area, Bellary-583104.

....Applicant

(By Advocate Shri P.S.Mali Patil)

Vs.

1. Union of India  
By its Secretary (Home)  
Ministry of Home Affairs  
North Block, Central Secretariat  
New Delhi-110 001.

2. The Director  
Intelligence Bureau  
Ministry of Home Affairs (MHA)  
Government of India  
North Block  
New Delhi-110 001.

3. The Additional Director/Est.  
Intelligence Bureau  
Intelligence Bureau Headquarters  
No.35, SP Marg, Bapu Dham

New Delhi-110 021.

4. The Joint Deputy Director/Est.  
Intelligence Bureau  
Intelligence Bureau Headquarters  
No.35, SP Marg, Bapu Dham  
New Delhi-110 021.

5. The Joint Director  
Subsidiary Intelligence Bureau  
Ministry of Home Affairs (MHA)  
Government of India  
No.08, Infantry Road  
Bengaluru-560 001.

6. The Joint Deputy Director/Est.  
Subsidiary Intelligence Bureau  
Ministry of Home Affairs (MHA)  
Government of India  
No.08, Infantry Road  
Bengaluru-560 001.

7. The Joint Deputy Director/ACR  
APAR Cell, Intelligence Bureau Hqrs.  
No.35, Sardar Patel Marg  
Bapu Dham  
New Delhi-110 001.

.....Respondents

(By Advocate Shri N.Amaresh)

**ORDER (ORAL)**

**PER: SURESH KUMAR MONGA, MEMBER (J)**

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

- i. To set aside the order No.18/C-3/19(1)-24458-73, dtd.11.08.2020

issued by Respondent No.4 received on 18.08.2020 vide Annexure-A36.

- ii. Pass such other orders as this Hon'ble Tribunal deems fit to grant in the above facts and circumstances of the case in the ends of justice and equity.
2. At the very outset, Shri N.Amaresh, learned counsel representing the respondents submitted that in view of Clause-14 of the Office Memorandum dated 28.08.2020, the present Original Application is premature and the same cannot be maintained. He further submitted that in view of the remedy available under the said clause, the applicant ought to have filed a representation against the order dated 11.08.2020 which has been impugned herein.
3. Confronted with this, learned counsel representing the applicant stated that the applicant may be permitted to withdraw the present Original Application with liberty to file a representation in terms of Clause-14 of the Office Memorandum dated 28.08.2020. He further submitted that since the applicant has been pursuing his remedy in good faith before this Tribunal, therefore, the delay in filing the representation against the impugned order may be condoned.
4. Keeping in view the aforesaid statement made by learned counsel for the applicant, the Original Application is disposed of with liberty to the applicant to file

a representation before the Representation Committee against the order dated 11.08.2020. However, the Representation Committee shall not raise any issue of limitation if such a representation is presented by the applicant within a period of ten(10) days from today.

5. Ordered accordingly. No order as to costs.

**(RAKESH KUMAR GUPTA)**  
**MEMBER (A)**

**(SURESH KUMAR MONGA)**  
**MEMBER (J)**

/ps/

**Annexures referred to by the applicant in OA No.400/2020:**

Annexure-A1: Transfer order dtd.17.11.2017  
Annexure-A2: Representation dtd.23.11.2017  
Annexure-A3: CAT order dtd.31.1.2018 in OA.738/2017  
Annexure-A4: Order dtd.27.2.2018  
Annexure-A5: PC OUT message dtd.13.3.2018  
Annexure-A6: Message dtd.14.3.2018  
Annexure-A7: Memorandum dtd.23.3.2018  
Annexure-A8: Report dtd.9.4.2018  
Annexure-A9: Memorandum dtd.20.4.2018  
Annexure-A10: Memorandum dtd.6.6.2018  
Annexure-A11: Memorandum dtd.11.9.2018  
Annexure-A12: PC message dtd.8.10.2018  
Annexure-A13: PC Memorandum dtd.24.10.2018  
Annexure-A14: Memo dtd.29.11.2018  
Annexure-A15: Memorandum dtd.1.2.2019  
Annexure-A16: Memo dtd.11.3.2019  
Annexure-A17: Memorandum dtd.27.7.2019  
Annexure-A18: Memorandum dtd.19.8.2019  
Annexure-A19: Memorandum dtd.31.8.2019  
Annexure-A20: Letter dtd.31.8.2018 & APAR for 2017-18  
Annexure-A21: Letter dtd.18.7.2019 & APAR for 2018-19  
Annexure-A22: Application dtd.29.7.2019  
Annexure-A23 to A35: Cash awards, commendation certificate and Kautilya  
issued by respondents  
Annexure-A36: Order dtd.11.8.2020  
Annexure-A37: OM dtd.28.8.2020

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