

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01362/2019

Dated Thursday the 23rd day of January Two Thousand Twenty

**CORAM : HON'BLE MR. P. MADHAVAN, Member (J)
HON'BLE MR. T. JACOB, Member (A)**

M.Kandan, CM. Per. No. 882061, QA(OF), Heavy Vehicles Factory, Avadi, Chennai 600054. Residing at No. 3/93, Mariamman Koil Street, Panjetty Village and post, Ponneri Taluk, Thiruvallur District 601204.

....Applicant

By Advocate M/s. Paul & Paul

Vs

1.Union of India, rep by its Secretary, Ministry of Defence, Department of Defence Production, South Block, New Delhi 110001.

2.The Director General of Ordnance Factory & Chairman, Ordnance Factory Board, Ayudh Bhavan, 10-A, S. K. Bose Road, Kolkata 700001.

3.The Senior General Manager, Heavy Vehicles Factory, Avadi, Chennai 600054.

4.The General Manager, Heavy Vehicles Factory, Avadi, Chennai 600054.

5.The Joint General Manager (Admin), Heavy Vehicles Factory, Avadi, Chennai 600054.

....Respondents

By Advocate Mr. Su. Srinivasan

ORAL ORDER**(Pronounced by Hon'ble Mr. P. Madhavan, Member(J))**

Heard. The applicant has filed this OA seeking the following reliefs :

- "i. To set aside the order of compulsory retirement passed by the 3rd respondent in No. 405/DS/2017/19 dated 03.08.2019 as the same has been passed by the incompetent authority in violation of the CCS CCA Rules, and consequently direct the respondents to reinstate the applicant in service with all other attendant benefits.
- ii. To pass such further or other orders as this Hon'ble Tribunal may deem fit and proper and in the facts and circumstances of the case."
2. The applicant's case is that the applicant was initially appointed in the post of Fitter Genl/Mech (Semi Skilled) by an order dt. 15.12.1995 in Heavy Vehicles Factory, Avadi. After subsequent promotions, he was posted as Chargeman (T). He is aggrieved by the impugned order dt. 03.08.2019 of Compulsory Retirement passed by the Senior General Manager. It is submitted that the Senior General Manager is not the competent authority to impose the punishment of compulsory retirement on the applicant. The applicant made a representation dt. 13.09.2019 to cancel the impugned order dt. 03.08.2019 which is still pending for consideration.
3. When the matter came up for consideration, *learned counsel for the applicant submits that the applicant has filed an appeal dt. 23.11.2019 before the Additional Director General of Ordnance Factory and he will be satisfied if the said appeal is directed to be disposed of within a prescribed time limit.*
4. Learned counsel for the respondents files reply which is taken on record.
5. In view of the limited relief sought at the time of hearing the matter,

without going into the merits of the case, **we deem it fit to direct the appellate authority to consider the said appeal dt. 23.11.2019 in accordance with law and relevant rules and regulations and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.**

6. OA is disposed of as above. No costs.

**(T.Jacob)
Member(A)**

**(P. Madhavan)
Member(J)**

23.01.2020

SKSI