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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

O.A/350/870/2020

Date of Order: 19.10.2020

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. Tarun Shridhar, Administrative Member

Binayak Majumder, s/o Late Sukhendu Bikash Majumder, residing at 3, Meghdoot Apartment, 195 Usha park, P.O Garia, P.S Bansdroni, Kolkata 700084, working as Senior Audit Officer in Indian Audit and Accounts Dept.

--Applicant

-versus-



1. Union of India, through the Secretary to Comptroller and Auditor General of India, Pocket - 9 Deen Dayal Upadhyay Marg, New Delhi - 110024.
2. Deputy Comptroller & Auditor General and Chairman Audit Board (Coml.) office of the Comptroller and Auditor General of India, Pocket - 9 Deen Dayal Upadhyay Marg, New Delhi - 110024.
3. The Director General of Audit (Mines), 1 Council House Street, Kolkata - 700001.
4. Deputy Director, O/o the Director General of Audit (Mines), 1 Council House Street, Kolkata - 700001.
5. Senior Audit Officer, coordination, Branch Office at DVC Hqrs., VIP Road, Ultadanga, Kolkata - 700054.

--Respondents.

For The Applicant(s): Mr. N. Roy, counsel
For The Respondent(s): Mr. S. Panda, counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both parties.

2. The applicant has filed this O.A to seek the following reliefs:

- a) To issue direction upon the respondent so that the applicant is posted back honourably in earlier posting at 1 No. Council House Street Kolkata from DVC branch office as per Government rules.
- b) To issue direction upon the respondent order for review of all outstanding APAR grading for all Sr. AO/AOs 2018-2019 by a neutral panel following DOPPT guidelines. So that the applicant may get Horizontal Parity with his own colleagues for the year 2018-2019 for sake of Natural Justice.

c) To issue direction upon the respondent to honestly consider applicants representation dated 24.10.2019 and 13.12.2019 on APAR Review as per Government rules so that the damaging remarks are removed.

d) To issue further direction upon the respondent order for stoppage of institutional harassment to Applicant by way of cooked up Disciplinary proceedings, denial of genuine leave for Pindadan at Gaya, frequent change in party composition, humiliating public sitting arrangement in 7th floor of DVC, Appellant working under ten year junior Mr. Sirla Kiran Kumar in DVC etc. As it is contrary to the provisions of GOVT or Departmental Rules.

e) Any other order or further order or orders has learned Tribunal deem fit and proper.


f) To produce Connected Departmental Record at the time of Hearing."


3. At hearing, ld. counsel for the applicant submits that the applicant is aggrieved for non-consideration of his representations dated 24.10.2019 and 13.12.2019 for APAR Review and representation dated 7.7.2020 for his transfer posting and that he would be satisfied if a direction is issued to the competent authority to consider his representation in a time bound manner.

4. Ld. counsel for the respondents submits that his representation has already been considered and disposed of vide an order dated 19.08.2020.

5. Accordingly, we dispose of the O.A by directing the respondents to communicate their decision to the applicant expeditiously, if not yet communicated, within 4 weeks from the date of receipt of a copy of this order.

6. The O.A accordingly stands disposed of. No costs.


(Tarun Shridhar)
Member (A)


(Bidisha Banerjee)
Member (J)