

Open Court
CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 11TH day of January 2021

Original Application No. 331/00034 of 2021

Hon'ble Justice Mrs. Vijay Lakshmi, Member (J)
Hon'ble Mr. Devendra Chaudhary, Member (A)

Naveen Tomar, S/o Late Ranbir Singh Tomar, aged about 58 years, R/o C-2, Hathibarkala Estate, Dehradun – 248001, presently posted as Additional Surveyor General, Specialized Zone, Survey of India, Dehradun.

...Applicant

By Adv : Shri R.M. Saggi and Shri Dharmendra Tiwari

V E R S U S

1. Union of India, through Secretary, Ministry of Science and Technology, New Mehrauli Road, New Delhi.
2. The Surveyor General of India, Survey House, Near NHO Office, Raipur Road, Dehradun – 248001.
3. Chairman, Union Public Service Commission, Shahjahan Road, New Delhi.

...Respondents

By Adv: Shri T.C. Agrawal and Shri R.K. Rai

O R D E R

By Hon'ble Justice Vijay Lakshmi, Member (J)

Shri R.M. Saggi and Shri Dharmendra Tiwari learned counsel for the applicant, both are present in Court whereas, Shri T.C. Agrawal, learned counsel for respondent Nos. 1 and 2 and Shri R.K. Rai, learned counsel for respondent No. 3, both of whom have received advance notices, have appeared online through video conferencing. The learned counsel for the parties agreed that the audio and visual quality during virtual hearing is proper.

2. Heard learned counsel for both the parties on admission and perused the record available in pdf.
3. At the very outset learned counsel for the applicant submitted that the applicant will be satisfied at this stage if the respondent concerned, who is the competent authority is directed to decide the pending representation of the applicant dated 20.10.2020 (Annexure A-8) by passing a reasoned and speaking order, in accordance with law, in a time bound manner. It is also prayed that as the term of the previous contractual appointment has expired, the respondents be directed not to make any fresh appointment on contract basis on the post in question in the meantime.
4. Learned counsel for the respondents have no objection against this limited prayer made by the applicant's counsel.
5. In view of the limited prayer made by the learned counsel for the applicant, no fruitful purpose will be served by keeping this matter pending and it is finally disposed of at the admission stage with the direction to the competent authority amongst the respondents, to decide the representation of the applicant dated 20.10.2020 (Annexure A-8) by passing a reasoned and speaking order, in accordance with law, within a period of two months from the date of receipt of a certified copy of this order. Meanwhile, as an interim measure, it is directed that the respondents will not make any fresh contractual appointment on the post in question, for a period of two months or till the disposal of the representation, whichever is

earlier. The order so passed shall be communicated to the applicant without delay.

6. It is made clear that we have not expressed any opinion on the merits of the case.

7. There is no order as to costs.

8. Hon'ble Shri Devendra Chaudhary, Member (Administrative) has consented to this order during virtual hearing.

(Devendra Chaudhary)
Member (A)

/pc/

(Justice Vijay Lakshmi)
Member (J)