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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 1327/90

New Delhi, 9.8.1994

CORAM :

THE HON'BLE MR. S. R. ADIGE, MEMBER (A)

THE HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

Dr. Jagdish Kumar Arora,
Junior Technical Assistant,
C.S.I.R., Centre for Bio-Chemicals,
Delhi - 110007.

... Applicant

By Advocate Shri Sant Singh

Versus

1. C.S.I.R. through
Director General,
Rafi Marg, New Delhi.
2. The Scientist Incharge,
C.S.I.R., Centre for
Bio-Chemicals, V.P. Chest
Institute Building,
Delhi - 110007.

... Respondents

None for the Respondents

ORDER (ORAL)

Shri S. R. Adige, Member (A) -

In this application, Dr. Jagdish Kumar Arora, now Senior Technical Assistant, C.S.I.R., Delhi, has prayed for confirmation as Junior Technical Assistant with effect from the date his junior, Shri S. K. Aggarwal, was confirmed, i.e., 16.9.1981.

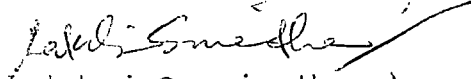
2. Shri Sant Singh, learned counsel for the applicant appeared when the case was called out. None appeared for the respondents. We were informed that Shri A. S. Dhupia, learned counsel for the respondents has unfortunately expired. The respondents should have taken steps to engage a new counsel to argue this case, as pleadings are complete, but it appears that they have taken no such step.

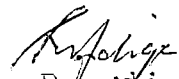
3. Shri Sant Singh brought to our attention the fact that his client had filed O.A. No. 617/91 praying for promotion as Junior Technical Assistant w.e.f. 1.4.1977. In that O.A., at a certain stage of the proceedings, office order No. 63 dated 11.7.1991 issued by the C.S.I.R. was produced before the Tribunal granting the applicant promotion as Senior Technical Assistant w.e.f. 1.5.1978, and Shri Sant Singh also produced before us a copy of the Tribunal's order dated 24.7.1991 in the said O.A. No. 617/91 wherein it had been noted that the relief prayed for by the applicant had substantially been granted and the applicant has, therefore, become infructuous.

4. Learned counsel for the applicant stated that in the light of this office order dated 11.7.1991, the relief that the applicant has now prayed for in the present O.A. would become admissible to him.

5. In the light of this averment, this O.A. is disposed of with the direction that if the applicant submits a representation to the respondents within four weeks from the date of receipt of a copy of this judgment, seeking relief contained in the present O.A., the respondents will consider the representation and pass a speaking, reasoned order thereon within two months from the date of receipt of the representation, and communicate their decision to the applicant within a further period of one month from the date of that decision.

6. If any grievance survives after the respondents take a decision on the applicant's representation, it will be open to the applicant, after exhausting the available departmental remedies, to re-agitate ^{the} ~~the~~ matter before the Tribunal, in accordance with law. No costs.


(Lakshmi Swaminathan)
Member (J)


(S. R. Adige)
Member (A)

/as/