

Date	Office Report	Orders
		5-7-91 <u>OA-795/91</u>
		Mr Madhav Panikar for applicant Mrs Manju Bagi, Law Officer for respondents
		The officer represented on behalf of respondent-1 seeks 4 weeks time to file reply.
		The prayer is granted. Adjourned to 5.8.91
		<i>Shyam</i> <i>3</i> (IK Rasgotra) (AV Haridasan) A.M. (J.M.)
	Counter not filed.	5-7-91
		<u>5.8.91 O.A. 795/91</u>
		Applicant through counsel Shri Madhav Panikar. None for the respondents.
		It appears that the respondents have not filed any reply. The Ld. counsel for the applicant pointed out that last time only departmental representative appeared and the learned counsel Shri A.S. Dhupia appeared only once. After going through the pleadings we find that the applicant is aggrieved by a show cause notice dated 28.11.1990 (Annexure-I) wherein the applicant has been asked to file his explanation as to why under bye-laws 71(b), the benefit of assessment premotion already extended to him w.e.f. 27.12.1972 should not be withdrawn.
		The applicant in pursuance of this show cause notice had already filed a representation dated 21.12.1990 (Annexure-2). The applicant has come before this Tribunal

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		<p>before any order was passed on representation in April, 1991. Normally, he should have waited for a period of six months.</p> <p>In any case, Annexure-1 is an innocuous order which only calls for an explanation from the applicant and the explanation has been furnished by representation dated 21.12.1990. The Ld. counsel for the applicant states that a direction be issued to the respondents to dispose of the representation within a period of four weeks, but in our mind the period of four weeks shall be a lesser period and a proper period will be three months. The Original Application is disposed of with a direction to the respondents to dispose of the representation dated 21.12.1990 within a period of three months from the date of the receipt of this order. If the applicant is at all aggrieved, then he can again come for redressal of his grievance. The Registry may send a copy of this order to the Respondents by special messenger.</p> <p>After the order has been passed, the departmental official Shri A.K. Chandna, Section Officer, appeared and pointed out that they are not implementing the impugned order dated 28.11.90 (Annexure-I). They are also withdrawing the show cause notice. In view of this fact, the order already passed regarding disposal of representation of the applicant dated 27.12.1990 becomes meaningless. The Original Application is, therefore disposed of in the manner as the relief desired by the applicant has since been allowed by the respondents, as is evident from the oral statement</p>

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		<p>given before the Bench by the departmental representative. Costs easy.</p> <p>B. B. MAHAJAN MEMBER(A)</p> <p>SRD 5.8.1991</p> <p>J. P. SHARMA MEMBER(A)</p> <p>5.8.1991</p>