

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 04th day of February 2009

Original Application No. 331 1998

Hon'ble Mr. Justice A.K. Yog, Member (J)

Hon'ble Mr. S.N. Shukla, Member (A)

A.S. Yadav, S/o late Shri Mata Charan Yadav, R/o
38/15A/1, Salori, Telierganj, Allahabad.

. . . Applicant

By Adv : Sri R. Verma

V E R S U S

1. Union of India through the Secretary, Ministry of Defence, New Delhi.
2. The Officer-in-charge, A.O.C. Records, P.O. Trimulgherry, District Secuhderabad.
3. The Commandant, Central Ordnance Depot, Chheoki, Naini, Allahabad.

. . . Respondents

By Adv: Sri P. Krishna

O R D E R

By Hon'ble Mr. Justice A.K. Yog, Member-J

Heard Sri R. Verma, advocate, learned counsel for the applicant and Sri P. Krishna, advocate, learned counsel for the respondents and perused the pleadings.

2. The applicant has approached this Tribunal by filing OA under Section 19 of the Administrative Tribunal's Act, 1985 seeking prayer for partial quashing of order dated 05.03.1998/Annexure A-1 to the

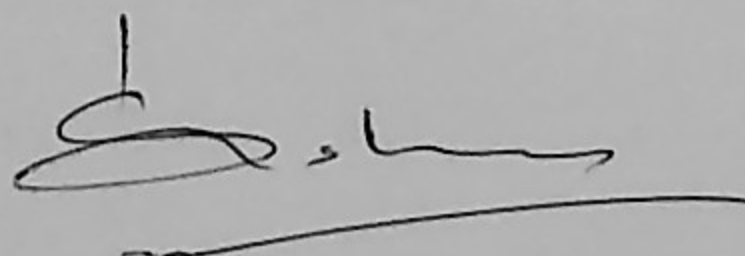
OA.

3. According to the applicant he raised his grievance by submitting representation through counsel vide notice dated 15.01.1998/Annexure A-3 (Compilation No. 2 to the OA). But the impugned order dated 05.03.1998 (Annexure A-1 to the OA) does not refer to those contentions raised in the above representation.

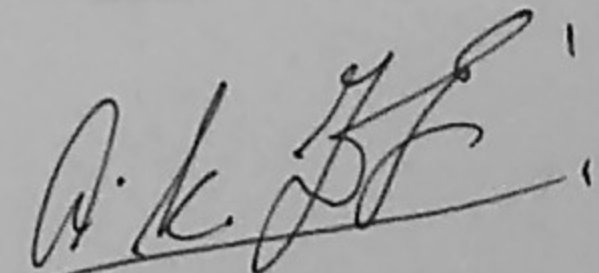
4. Learned counsel for the Respondents is unable to dispute/dislodge above contention/argument of the Applicant.

5. In view of the above we quash and set aside the impugned order dated 05.03.1998/Annexure A-1 to the OA with a direction to the Competent Authority to decided the grievance of the Applicant (contained in above referred notice dated 15.01.1998/Annexure A-3 to the OA by passing a reasoned/speaking order within a period of three months from the date of receipt of a certified copy of this order.

6. The OA stands allowed subject to the above observation/direction. No costs.



Member (A)



Member (J)

/pc/