

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 12th day of AUGUST 2004.

Original Application no. 855 of 2004.

Hon'ble Mr. A.K. Bhatnagar, Member-J  
Hon'ble Mr. S.C. Chaube, Member-A

Gopal Hari Tewari,  
MES/210135, Surveyor of works (Retired),  
R/o 119 B Block, Shyam Nagar,  
Kanpur-208013 (UP).

... Applicant

By Adv : Sri Ritvik Updhayaya

V E R S U S

1. Union of India through Secretary,  
Ministry of Defence, Govt. of India,  
New Delhi.
2. Engineer-in-Chief,  
E-in-C's Branch, Kashmir House,  
Co-Ord & Pers. Directorate/EIB,  
Army Headquarters, DHQ,  
PO-New Delhi-110001.

... Respondents

By Adv : Sri S. Singh

O R D E R

A.K. Bhatnagar, JM.

By this OA, filed under Section 19 of the A.T. Act,  
1985, the applicant has prayed for direction to the respondents  
to extend the operation of the review DPC panel for promotion  
for the year 1993-94 till the matter of the applicant is  
satisfactorily resolved in his favour and to grant all notional  
promotions upto the the post of Senior Surveyor of Works (SSW)  
w.e.f. the dates on which they were legally due to the applicant  
together with all consequential monetary benefits, increments  
and also to revise the pension of the applicant with all

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retiral consequential/benefits including gratuity, commutation of pension etc. together with admissible interest on all moneys to be paid to the applicant.

2. The brief facts of the case are that the applicant was appointed as Superintendent B/R Grade II in the Military Engineering Services (MES) on 25.02.1963. He got retired on 30.06.2002 as supervisor of works in the Office of CWE Kanpur. The grievance of the applicant is that a review DPC panel was released by the department in the year 1992-93 and 1993-94 by implementing the judgments of different Benches of Central Administrative Tribunal, for promotion of PA. Grade I to the Grade of Assistant Surveyor of Works (ASW) in the MES bearing the name of the applicant at sl no. 2 of the release, but he was never informed of such placement by the department.

3. Learned counsel for the applicant submitted that he has filed a representation dated 18.09.2003 addressed to Engineer-in-Chief, E in C's Branch, Army Headquarters, DHQ, P.O. New Delhi followed by reminders dated 01.11.2003 & 24.12.2003 for redressal of his grievances. But no action has so far been taken by the respondents. Learned counsel for the applicant submitted that the applicant is a retired person instead of entering into litigation, he would be satisfied, if his representation so filed before respondent no. 2 is decided by a reasoned and speaking order within a specified period.

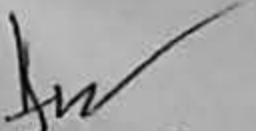
4. We have heard learned counsel for the parties, considered their submissions and perused records and we are of the view that this OA can be finally disposed of at the admissions stage itself, without calling for counter affidavit.

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5. For the above the OA is disposed of finally at the admission stage itself with a direction to respondent no. 2/ Competent Authority to decide the representation of the applicant dated 18.09.2003 by a reasoned and speaking order within a period of four months from the date of receipt of copy of this order. To facilitate the process of early hearing the applicant may file a fresh and detailed representation before respondent no. 2/Competent Authority alongwith copy of this order.

6. There shall be no order as to costs.

  
Member-A

  
Member-J

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